

1. JV INVESTMENTS AT THREE M. LLC
F/K/A: THREE M. DEVELOPMENT, INC.
(Applicant)

06-1-CZ14-2 (05-188)
BCC/District 8
Hearing Date: 4/27/06

Property Owner (if different from applicant) Same.

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
				NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS**

APPLICANT: JV INVESTMENTS AT THREE M. LLC
F/K/A: THREE M. DEVELOPMENT, INC.

PH: Z05-188 (06-1-CZ14-2)

SECTION: 14-57-38

DATE: April 27, 2006

COMMISSION DISTRICT: 8

ITEM NO.: 1

A. INTRODUCTION

o **REQUEST:**

THE DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING is appealing the decision of Community Zoning Appeals Board #14.

AU to RU-1 or in the alternative, EU-M

The purpose of this appeal is to allow this Board either to approve the application or to remand the application with leave to amend in order to also advertise the EU-M (Single-Family Modified Estate District) as an alternative request to RU-1 (Single-Family Residential District).

o **SUMMARY OF REQUEST:**

The appeal of the zone change from AU, Agricultural District, to RU-1, Single-Family Residential District, or in the alternative, EU-M, Modified Estate Single-Family District, will allow the application to be approved or to be remanded back to the Community Zoning Appeals Board #14 with leave to amend in order to be readvertised.

o **LOCATION:**

Lying approximately 667' south of SW 312 Street, and east of theoretical SW 190 Avenue, Miami-Dade County, Florida.

o **SIZE:** 2.54 Gross Acres

o **IMPACT:**

The approval of the requested district boundary change will allow the applicant to provide additional single-family housing units for the community. The rezoning of this 2.54-acre site will have a minor impact on the schools and water and sewer services, as well as increase the traffic in the area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU; vacant property

Low Density Residential, 2.5 to 6 du/a

Surrounding Properties:

NORTH: RU-1; single-family residential

Low Density Residential, 2.5 to 6 du/a

SOUTH: AU; single-family residence

Low Density Residential, 2.5 to 6 du/a

EAST: EU-M; single-family residence

Low Density Residential, 2.5 to 6 du/a

WEST: AU; nursery

Low Density Residential, 2.5 to 6 du/a

The subject property is located approximately 667' south of SW 312 Street and east of theoretical SW 190 Avenue. The property to the north is developed with single-family residences. The properties to the south and the east have existing single-family residences on them, while the properties to the west are developed with a nursery.

E. SITE AND BUILDINGS:

Site Plan Review:

(no site plan submitted)

Scale/Utilization of Site:

Acceptable

Location of Buildings:	N/A
Compatibility:	Acceptable
Landscape Treatment:	N/A
Open Space:	N/A
Buffering:	N/A
Access:	Acceptable
Parking Layout/Circulation:	N/A
Visibility/Visual Screening:	N/A
Energy Considerations:	N/A
Roof Installations:	N/A
Service Areas:	N/A
Signage:	N/A
Urban Design:	N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

In evaluating an application for a **district boundary change**, **Section 33-311** provides that the Board take into consideration, among other factors, the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection
Parks	No comment
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	Objects / 5 students

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

The Director of the Department of Planning and Zoning is appealing the decision of the Community Zoning Appeals Board #14 (CZAB-14), which on February 15, 2006, approved an application by Three M Development Inc., for a district boundary change by a vote of 5-0. Pursuant to Resolution No. CZAB14-3-06, the CZAB-14 approved a zone change on the subject property from AU, Agricultural District, to EU-M, Single-family Modified Estates, in lieu of RU-1, Single-family Residential, subject to a proffered covenant that was attempted to be modified at the public hearing.

The Director states that the grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board #14 (CZAB-14) are to allow the Board of County Commissioners either to approve the application for EU-M, subject to a revised covenant, or to remand the application back to CZAB-14 with leave to amend in order to advertise the matter for EU-M zoning before the CZAB.

The 2.54-acre subject property is located approximately 667' south of SW 312 Street and east of theoretical SW 190 Avenue. The property to the north is zoned RU-1 and currently developed with single-family residences. The areas to the south and to the west of the subject property are characterized by AU-zoned properties, and the area directly to the east is an EU-M zoned district. The applicant's property is located over one-half (.5) mile east and one and one-half (1.5) miles south of and within the Urban Development Boundary line.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. Their memorandum indicates that although this application will generate **11** additional **PM** daily peak hour vehicle trips, the traffic distribution of these trips will not exceed the acceptable levels of service (LOS) on the surrounding roadways which are currently operating at LOS "A" and "B" of the streets serving the surrounding community. Furthermore, this land requires platting in accordance with Chapter 28 of the Code of Miami-Dade County. The road dedications and improvements will be accomplished through the recording of a plat. Miami-Dade Public Schools (**MDCPS**) has indicated that the proposed zoning will bring an additional **5 students** into the area's public

schools. They indicate that Homestead Middle School and South Dade Senior High School are the schools that will be impacted by this development, which are currently operating at 119% and 132% of FISH (Florida Inventory of School Houses) utilization, respectively. Their memorandum indicates that in accordance with the Review Criteria established by the Board, the School District is requesting that the application **be denied**, or that it **be deferred** until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area. The applicant advised that it is unable to proffer any additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance.

As previously mentioned, the rezoning of this 2.54-acre site will have a minor impact on the schools, water and sewer services, as well as increase the traffic in the area. The surrounding area is a mix of residential and agricultural zoning districts. Directly to the north is an RU-1 zoned district with single-family residences, and to the east is an EU-M zoned district. The properties adjacent to the applicant's parcel both to the south and west are currently AU-zoned properties.


Notwithstanding all of the above, the approval by Community Zoning Appeals Board-14 of a zone change from AU to EU-M requires review and correction. Generally, the EU-M zoning district is not within the scope of the RU-1 zoning district, which is what was advertised for the CZAB hearing. The applicant attempted to bring EU-M within the advertisement by modifying the proffered covenant during the hearing, handwriting in a restriction that prohibited the additional uses that EU-M allows. It later became apparent that there were legal deficiencies in the execution of the covenant by the applicant's legal representative, which in turn called into question the advertisement for the hearing. The appeal to this Board will allow the application to be properly advertised for RU-1 or EU-M and will allow the applicant to submit a properly executed covenant. This Board may take final action on the application or remand to CZAB-14 for such purposes.

I. RECOMMENDATION:

Approval of the appeal to vacate the decision of Community Zoning Appeals Board-14 (CZAB-14), and either approval of EU-M subject to acceptance of the proffered covenant, or alternatively, remand of the application to CZAB-14 with leave to amend to advertise the EU-M zoning request.

J. CONDITIONS: None.

DATE INSPECTED: 11/01/05
DATE TYPED: 11/02/05
DATE REVISED: 11/30/05; 12/20/05; 01/23/06; 03/10/06; 03/14/06; 04/18/06
DATE FINALIZED: 04/18/06
DO'QW:AJT:MTF:LVT:JV:JGM



Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



Date: September 13, 2005

To: Diane O'Quinn-Williams, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name.

Subject: C-14 #Z2005000188-Revised
Three M Development, Inc.
S/O SW 312th Street and E/O theoretical SW 190th Avenue
District Boundary Change from AU to RU-1
(AU) (2.5 Ac.)
14-57-38

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply:

Public water can be made available to this site; therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal:

The closest public sanitary sewer main is a 24-inch force main located at the intersection of S.W. 189th Avenue and S.W. 316th Street, approximately 675 feet from the site; beyond feasible distance for connection to the public sanitary sewer system. Consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

The subject application seeks to subdivide a parcel of land into eight lots. Section 24-13.1(3) of the Code provides that the minimum lot size for a single family residence served by public water and a septic tank shall be 15,000 square feet (gross) of unsubmerged land. Inasmuch as the proposed RU-1 zoning classification would permit lots that would have less area than what the Code requires, the applicant has applied for and obtained a variance from the requirements of the aforesaid Code Section from the Miami-Dade County Environmental Quality Control (EQCB). Accordingly, DERM may approve the applicant and the same may be scheduled for public hearing. The applicant is advised that regardless the density permitted under the requested RU-1 zoning classification, the maximum number of lots that DERM would approve for the subject property is eight, as provided for by the approval granted by the EQCB.

Stormwater Management:

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site

development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMF subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject property does not contain jurisdictional wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMF for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: THREE M. DEVELOPMENT, INC.

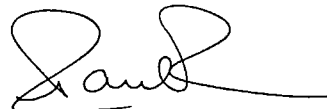
This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 11 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9948	SW 312 St. w/o US-1	B	B
9950	SW 320 St. e/o US-1	B	B
F-518	SW 177 Ave. n/o US-1	B	B

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

07-DEC-05



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Rudolph F. Crew, Ed.D.

September 26, 2005

Ana Rijs-Conde, AICP, Facilities Planning Officer
Facilities Planning

Miami-Dade County School Board

Frank J. Bolafios, Chair
Dr. Robert B. Ingram, Vice Chair
Agustin J. Barrera
Evelyn Langlieb Greer
Perla Tabares Hantman
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: Three M Development, Inc. - Application No. 05-188 (CC14)
South of SW 312 Street and East of SW 190 Avenue

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Homestead Middle School and South Dade Senior High School currently operating at 119% and 132% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Homestead Middle School to 120% (please see enclosed analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal, and the recently approved Review Criteria the District met with the applicant on September 7, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. The applicant advised that he is unable to proffer any additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance.

In accordance with the Review Criteria established by the Board, the School District is requesting that the application be denied, or that it be deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

Ms. Maria Teresa-Fojo
September 26, 2005
Page Two

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis.

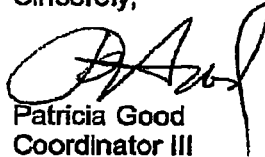
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (impact fees) based on the following formula:

$$\text{New residential unit square footage} \times .90 (\text{Square Footage Fee}) + \$600.00 (\text{Base Fee}) + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,00 square feet, the 8-unit development is estimated to generate approximately \$19,200 (\$2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good
Coordinator III

PG:am
L-0385
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albueme
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. Javier L. Vazquez

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 05-188, Three M Development, Inc. (CC14)
REQUEST: Zone change from AU to RU-1M(a)
ACRES: 2.5 acres
MSA/Multiplier: 7.3/.60
LOCATION: South of SW 312 Street and East of SW 190 Avenue
**NUMBER OF
UNITS:** 8 single-family units
**ESTIMATED
STUDENT
POPULATION:** 5 students*
ELEMENTARY: 2
MIDDLE: 1
SENIOR: 2

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: West Homestead Elementary - 1550 SW 6 St.
MIDDLE: Homestead Middle – 650 NW 2 Ave.
SENIOR HIGH: South Dade Senior - 28401 SW 167 Ave.

All schools are located in Region 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of August, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
West Homestead Elem.	820/ 822*	806	102%/ 102%*	36	97%/ 98%*	841
Homestead Middle	1202/ 1203*	848	142%/ 142%*	158	119%/ 120%*	1236
South Dade Sr.	2774/ 2776*	1721	161%/ 161%*	380	132%/ 132%*	2971

* increased student population as a result of the proposed development.

** Estimated number of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, the middle and senior high schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(Information Included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1604 student stations)	Design	June 2007
State School "CCC1" (South Dade Sr. High School Partial Replacement) (1522 additional student stations)	Design	March 2008

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	806
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2452
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	3243

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$32,745.

CAPITAL COSTS: Based on the State's August-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	2 x	\$ 13,588	=	\$ 27,176
MIDDLE	1 x	\$ 15,579	=	\$ 15,579
SENIOR	2 x	\$ 20,616	=	\$ 41,232
Total Potential Capital Cost				\$ 83,987

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

Charter Schools in Miami-Dade County

School Name	2004-2005 Enrollment	2005-2006 Enrollment	2006-2007 Enrollment	Maximum Enrollment
Academy of Arts & Minds	139	400	500	500
Archimedean Academy	432	525	525	525
Archimedean Middle Conservatory	55	160	240	240
ASPIRA Eugenio Maria de Hostos	299	600	600	600
ASPIRA Youth Leadership	291	450	450	450
ASPIRA South Youth Leadership	202	210	450	600
Aventura City of Excellence School	671	900	900	900
Balere Language Academy	155	175	250	450
Coral Reef Montessori	324	500	500	500
Doctors Charter School of Miami Shores	401	375	450	525
Doral Academy	728	2,200	2200	2,200
Doral Academy Middle School	809	1,250	1250	1,250
Doral Academy High School	908	1,800	1800	1,800
Doral Performing Arts & Entertainment Academy	50	100	150	200
Downtown Miami Charter School	558	650	650	650
Early Beginnings Academy - Civic Center	25	80	80	80
Early Beginnings Academy - North Shore	12	43	43	70
Florida International Academy	258	350	350	350
International Studies Charter High School	80	500	750	1,000
Keys Gate Charter School	1,085	1,150	1,150	1,150
Lawrence Academy	69	120	250	450
Liberty City Charter School	372	705	705	705
Life Skills Center Miami-Dade County	13	300	450	600
Mater Academy	700	1,150	1,150	1,150
Mater Academy Charter High School	1,158	1,300	1,300	1,300
Mater Academy Charter Middle School	1,157	1,300	1,300	1,300
Mater Academy East Charter School	310	800	800	800
Mater Academy East Middle School	103	250	250	250
Mater Performing Arts & Entertainment Academy	97	100	150	200
Miami Children's Museum	72	350	350	350
Miami Community Charter School	221	600	600	600
Oxford Academy of Miami	101	450	450	450
Pinecrest Preparatory Academy Middle School	216	750	800	800
Pinecrest Preparatory Academy	743	1,250	1,250	1,250
Rosa Parks Charter School/Florida City	192	400	600	600
Renaissance Elementary Charter School	444	500	500	500
Renaissance Middle Charter School	43	50	700	1,600
Sandor Wiener School of Opportunity	19	72	72	72
Sandor Wiener School of Opportunity, South	17	36	36	36
School for Integrated Academics & Technologies	262	600	800	800
Somerset Academy	514	700	700	700
Somerset Academy Charter Middle School	70	300	300	300
Somerset Academy Charter High School	7	250	375	500
Spiral Tech. Elementary Charter School	71	290	290	290
Spirit City Academy	40	250	300	400
Sunshine Academy	100	150	200	450
The Charter School at Waterstone	1,001	1,000	1,000	1,000
Theodore R. and Thelma A. Gibson Charter School	11	500	600	600
Transitional Learning Academy	28	48	48	72
Youth Co-Op Charter School	508	525	525	525
TOTAL: 50 schools	16,141	27,514	30,139	32,690

Board-Approved Charter Schools to be Opened in 2005			
School Name	Projected Enrollment 2005 to 2007		
	2005-2006	2006-2007	Maximum
Charter on the Beach Middle School	-0-	250	250
Liceo ENLACE Miami Charter Academy	-0-	475	775
A Child's Journey Charter School	-0-	175	600
Atlantic Science Academy	-0-	600	840
Cooperative Charter School	-0-	100	200
Dr. Joseph Coats Grace Community Charter School	-0-	600	600
Excelsior Academy of Miami	-0-	450	450
Mosaic Bilingual Academy	-0-	120	365
North Miami/Florida Int'l Univ. Charter Sr. High School	-0-	800	1,600
Pinecrest Academy Charter High School	-0-	600	850
South Dade Charter Elementary School	-0-	625	750
Summerville Charter School	-0-	600	600
TOTAL: 12 schools	-0-	5,395	7,880
SUB-TOTAL (EXISTING + APPROVED): 62 schools	27,512	35,534	40,570

Board-Approved applications for schools opening in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Somerset Academy	6	6,400
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School	1	800
Charter Academy of Excellence	1	600
Palmetto Bay Charter Academy	1	1,600
Princeton Charter Academy	1	1,600
Homestead Charter High School	1	2,000
South Miami-Dade Charter Elementary School	1	600
South Miami-Dade Charter Middle School	1	300
Total :	18 schools	17,050
GRAND TOTALS		
Number of Schools		Maximum Enrollment Capacity
80		57,620

NEW CHARTER SCHOOLS FOR 2005-2006

W/L	Name and Address of Charter School	Contact Information	Grade Levels
6006	Archimedean Middle Conservatory 12425 SW 72 St. Miami, FL 33183	Ms. Vasiliki Moyzidis 305 640-6278	6-8
7016	Bridge Academy <i>Main Campus:</i> 8325 NE 2 Ave., Miami, FL 33138 <i>South Campus:</i> 224 Washington Ave., Homestead, FL 33030	Dr. Leo S. Cardona 954 907-2771 786 513-0546 Fax dleo@myfla.com	12
6007	Charter on the Beach Middle School 2301 Normandy Dr. Miami Beach, FL 33141	Ms. Gladys Palachio 786 258-2505 gladyspalachio@aol.com	7-8
6040	Doctors Charter School of Miami Shores 11301 NW 5 Ave. Miami Shores, FL 33138	Ms. Maggie Mantrara 305 795-2207 mantraram@miamishoresvillage.com	6-12
7009	Doral Performing Arts & Entertainment Academy 11100 NW 27 St., Doral, FL 33172 and 2601 NW 112 Ave., Doral, FL 33172	Ms. Ofelia Alvarez 305 597-9950	9-12
4080	Early Beginnings - North Shore 985 NW 91 St. Miami, FL 33150 (North Shore Medical Center)	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
4070	Early Beginnings - Civic Center 1411 NW 14 Ave. Miami, Florida 33125	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
6027	Transitional Learning Academy 1411 NW 14 Ave. Miami, Florida 33125	Ms. Pamela Miller, Principal United Cerebral Palsy 305 325-1080	8-12
6008	Lawrence Academy 777 West Palm Drive Florida City, FL 33034	Dr. Keltina Burnett 305 281-3052 mkbur293@aol.com	6-8
1000	Liceo ENLACEI Miami 9705 E. Hibiscus Palmetto Bay, FL 33157	Ms. Lucy Puella-Capone 305 213-7723 ces1234@aol.com	K-8
6009	Mater East Academy Middle School 450 SW 4 St. Miami, FL 33130	Ms. Ana Valdes, Principal 305 324-4667	6-8

W/L		Name and Address of Charter School		Contact Information		Grade Levels
7014		Water Performing Arts & Entertainment Academy 7901 NW 103 St. Hialeah Gardens, FL 33016		Ms. Christine McGuinn, Principal 305 828-1886		9-12
5010		Oxford Academy of Miami 10870 SW 106 St. Miami, FL 33176		Mr. Tobias Hernandez, Principal 305 598-4494 305 275-2003 Fax		K-5
6030		Sander Wiener School of Opportunity, South 11025 SW 84 St. Miami, FL 33173		Ms. Lissa Gonzalez, Principal 305 279-3084 Lgonzalez1@dadeschools.net		PK-5
5050		Sunshine Academy 1733 NE 162 St. N. Miami Beach, FL 33162		Ms. Ann-Marie Manzano, Director 786 210-8324 manzanos5@netzero.net		K-8
1010		The Charter School at Waterstone 855 East Waterstone Way Homestead, FL 33034		Dr. Cristina Cruz, Principal dcruzwaterstone@aol.com Temporary office: Prime Outlets Mall 250 East Palm Drive, Suite 245 Florida City, FL 33034 305 248-6206 Fax: 305 248-6208 Email: info@charterschoolatwaterstone.com Web: www.charterschoolatwaterstone.com		K-8
6029		Spirit City Academy 3400 NW 135 St. Opa-locka, FL 33054		Ms. Cecilia Honeywood, Principal 786 493-1546 ceahoneywood@dadeschools.net		6-8
7015		Life Skills Center Miami-Dade County 3535 NW 7 Street Miami, FL 33125		Mr. Jose Filpo 305 643-9111 305 643-9141 Fax jose.filpo@lifskillscenters.com		10-12
6028		Renaissance Middle Charter School Temporary location for 05-06: 8360 NW 33 St. Miami, FL 33122		Mrs. Ana Cordal, Principal 305 581-2225 acordal@dadeschools.net		6-8

PETITION OF APPEAL FROM DECISION OF
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY _____ AMOUNT OF FEE \$

RECEIPT #

DATE HEARD: 02/15/06

BY CZAB # 14

RECEIVED
MAR 07 2006

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY Lula Venchoree

DATE RECEIVED STAMP

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z05-188 (06-1-CZ14-2)

Filed in the name of (Applicant) Three M. Development, Inc.

Name of Appellant, if other than applicant Director, Dept. of Planning & Zoning

Address/Location of APPELLANT'S property: 111 NW 1st St., 11th floor, Miami, Fla. 33128

Application, or part of Application being Appealed (Explanation) Entire application

Appellant (name): Director, Dept. of Planning & Zoning

hereby respectfully appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:
(State in brief and concise language).

To allow the Board of County Commissioners to remand the application back to the Community Zoning Appeals Board-14 (The CZAB) with leave to amend in order to correctly readvertise the matter before The CZAB.

APPELLANT MUST SIGN THIS PAGE

Date: 7 day of March, year: 2006

Signed

Diane Quinn Williams

Diane O'Quinn Williams

Print Name

111 NW 1st. Street, Miami, FL 33128

Mailing Address

(305) 375-2800

Phone

(305) 375-2795

Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an
association or other entity, so indicate:

Representing

Signature

Print Name

Address

City

State

Zip

Telephone Number

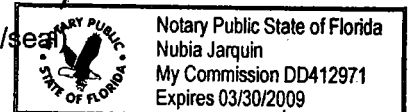
Subscribed and Sworn to before me on the 7th day of March, year 2006

Nubia Jarquin

Notary Public

Nubia Jarquin

(stamp/seal)



Commission expires:

03/30/09

Memorandum



Date: 18-JUL-05

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue

Subject: Z2005000188

Fire Prevention Unit:

No objection to Case # Z2005000188

Service Impact/Demand:

Development for the above Z2005000188
located at APPROX 667' SOUTH OF S.W. 312 STREET, EAST OF THEORETICAL S.W. 190 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.
in Police Grid 2590 is proposed as the following:

8 units single	dwelling units	industrial	square feet
multifamily	dwelling units	institutional	square feet
commercial	square feet	nursing home	square feet

Based on this development information, estimated service impact is: 2.1 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 16 325 NW 2nd. Street Homestead.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
Station R Florida City Vicinity of NW 170 Street & 92 Ave.

Fire Planning Additional Comments:

No objection.

TEAM METRO

ENFORCEMENT HISTORY

THREE M DEVELOPMENT INC.

APPROX 667' SOUTH OF S.W. 312
STREET, EAST OF THEORETICAL
S.W. 190 AVENUE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2005000188

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

7-12-05 No violations.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Three M Development, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Manuel A. Sanchez</u>	<u>50%</u>
<u>Maria Dolores Sanchez</u>	<u>50%</u>
<u>11905 SW 47 Street, Miami, FL 33175</u>	

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: _____
(Applicant)

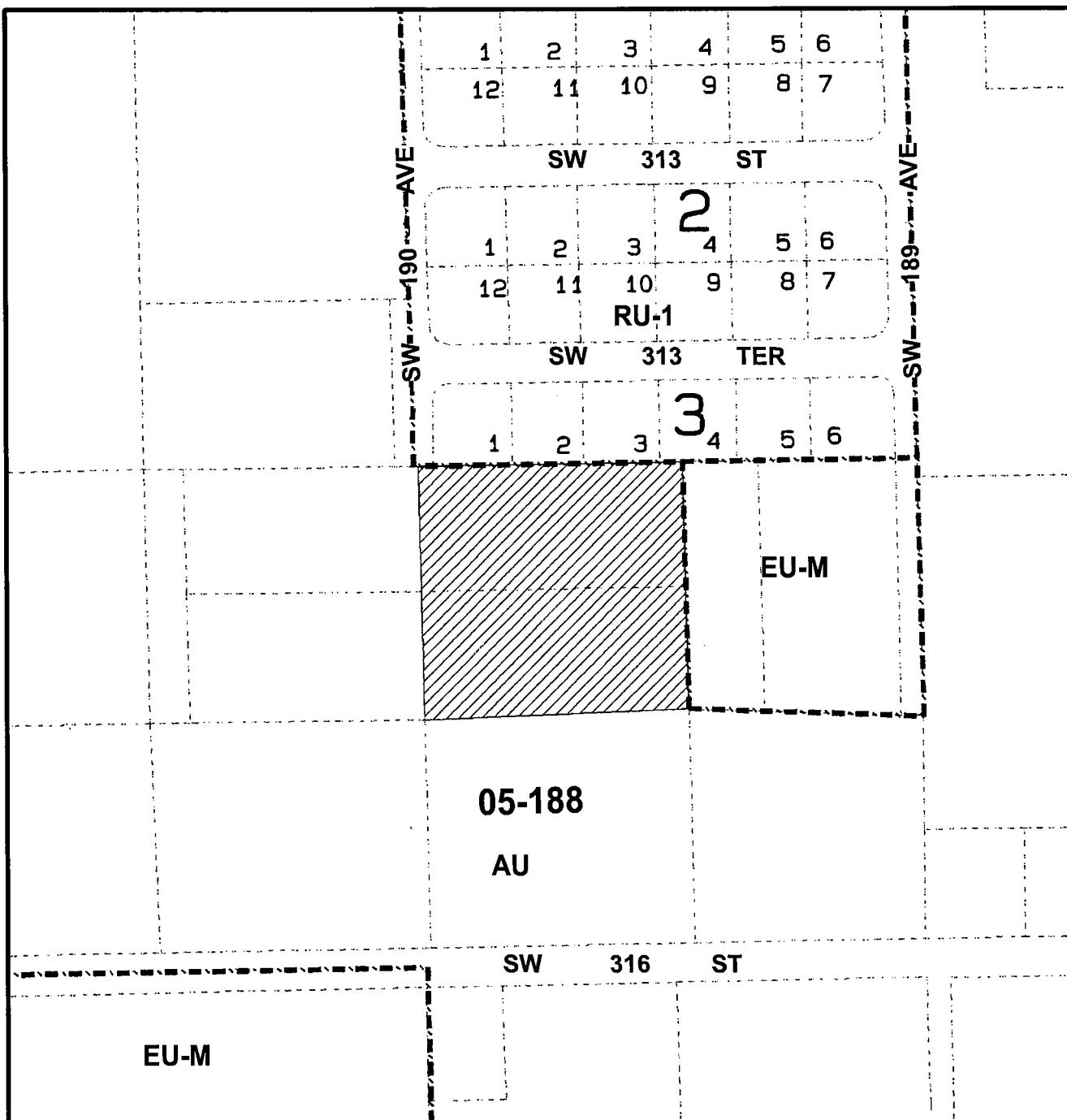
Sworn to and subscribed before me this 1st day of July 2005. Affiant is personally known to me or has produced _____ as identification.

Notary Public
My commission expires: _____



Jasmine Zanetti
My Commission DD311896
Expires April 20, 2008

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



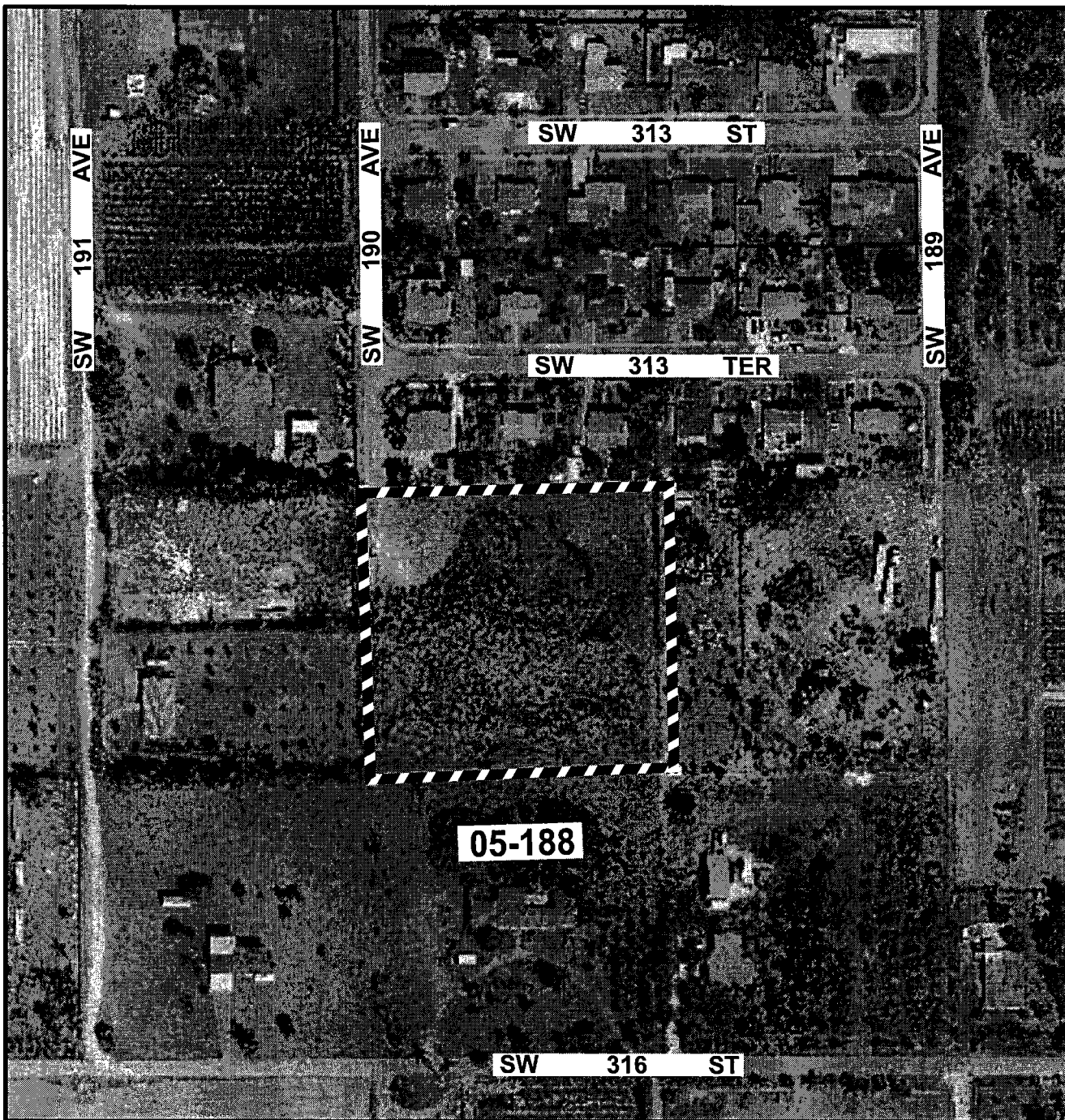
**MIAMI-DADE COUNTY
HEARING MAP**

Section: 14 Township: 57 Range: 38
 Process Number: 05-188
 Applicant: THREE M DEVELOPMENT INC.
 District Number: 08
 Zoning Board: C14
 Drafter: ALFREDO
 Scale: 1:200'



 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 14 Township: 57 Range: 38
Process Number: 05-188
Applicant: THREE M DEVELOPMENT INC.
District Number: 08
Zoning Board: C14
Drafter: ALFREDO
Scale: NTS

S C A L E
0 NTS N



SUBJECT PROPERTY





CFN 2006R0358264
DR Bk 24390 Pgs 4654 - 4657 (4pgs)
RECORDED 04/04/2006 12:34:31
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared by:

Name: Javier L. Vazquez, Esq.

Address: Javier L. Vazquez, P.A.
8061 NW 155th Street
Miami Lakes, FL 33016

A/S

Item #1 — 05-188
J.V. INV. at Three M. Development, Inc.
F/K/A Three M. Development.

(Space reserved for Clerk of the Court)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned Owner holds the fee simple title to the property in Miami-Dade County, Florida described in Exhibit "A," attached hereto, and hereafter called the "Property," which is supported by the attorney's opinion, and

IN ORDER TO ASSURE the County that representations made by the Owner during consideration of Public Hearing No. 05-188 will be abided by the Owner freely, voluntarily and without duress, make the following Declaration of Restrictions covering and running with the property:

1.) Lot Layout

A Cul-de-sac shall not be permitted in the layout of the residential lots on the subject property.

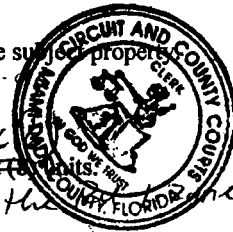
2.) Density

That the development of the property shall be limited to a maximum of eight (8) units.

3.) Accessory or Principal uses not permitted in the County Inspection. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless



2-15-06

shall be prohibited

12

an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.

Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

Should this Declaration of Restrictions be so modified, amended or released, the Director of the Miami-Dade County Department of Planning and Zoning, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence, shall forthwith execute a written instrument effectuating and acknowledging such modification, amendment or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

Authorization for Miami-Dade County to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

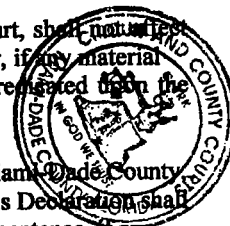
Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not invalidate any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

Recording. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owners following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Planning and Zoning Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part.



Signed, sealed and acknowledged on this 3rd day of Jan., 2006.

Witnesses:

Clara Martinez
CLARA MARTINEZ
Print Name

Inge L to
Inebelle C. Laracuent
Print Name

JV Investments at Three M, LLC
[Signature]
By: Javier L. Vazquez, Manager

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

The foregoing instrument was acknowledged before me this 3 day of January, 2006 by Javier L. Vazquez, as Manager of JV Investments at Three M, LLC. He personally appeared before me, are personally known to me or produced FDL as identification, and did not take an oath.

(NOTARIAL SEAL)

Notary: Inge L. to
Print Name: Inebelle C. Laracuent
Notary Public, State of Florida
My commission expires: 3/18/08



INEABELLE C. LARACUENTE
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD301768
EXPIRES 3/18/2008
BONDED THRU 1-888-NOTARY1

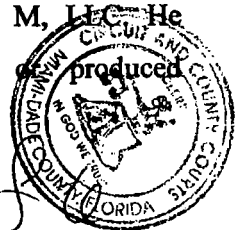


EXHIBIT "A"

LEGAL DESCRIPTION

The North $\frac{1}{2}$, of the West $\frac{1}{2}$, of the Southeast $\frac{1}{4}$, of the Northwest $\frac{1}{4}$, of the Northeast $\frac{1}{4}$, in Section 14, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida.

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that this is a true copy of the
original filed in this office on APR 4 2006 day of APRIL, A.D. 2006
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts
By [Signature] D.C.



OPINION OF TITLE

TO: MIAMI-DADE COUNTY

With the understanding that this Opinion of Title is furnished to Miami-Dade County, Florida, as an inducement for acceptance of a Declaration of Use/Unity of Title/Declaration of Restriction/Development Agreement or in compliance with Chapter 28, and as an inducement for acceptance of Declaration of Restrictions affecting the real property hereinafter described. It is hereby certified that I have examined the Owner's Title Insurance Policy No. OPM-2828489, issued by Capitol Title Services, Inc. as agent for Attorney's Title Insurance Fund, Inc. ("Owner's Policy") and an updated title search certified by Attorneys' Title Insurance Fund, Inc., ("Title Search") covering the period from beginning to **December 18, 2005**, at 11:00 P.M.; inclusive, of the following described real property:

The North 1/2 of the West 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 14, Township 57 South, Range 38 East, lying and being in Miami-Dade County, Florida.

Basing my opinion on the evidence described above, I am of the opinion that on the last mentioned date the fee simple title to the above-described real property was vested in:

JLV Investments at Three M, LLC, a Florida Limited Liability Company by virtue of that certain Warranty Deed dated October 1, 2005, filed for record on December 6, 2005 in Official Records Book 24018 at Page 1924 of the Public Records of Miami-Dade County, Florida.

Subject to the following liens, encumbrances and other exceptions:

RECORDED MORTGAGES

1. None

RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS

2. None

GENERAL EXCEPTIONS

3. All taxes for the year in which this Opinion is rendered, and subsequent years.
4. Rights or claims of persons other than the above owner who is in possession.
5. Easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments and any facts or matters not of record which would be disclosed by an accurate survey and inspections of the premises.
6. Any unrecorded labor, mechanics' or materialmen' liens.
7. Zoning and other restrictions imposed by governmental Authority.

SPECIAL EXCEPTIONS

8. That certain order recorded November 22, 2005 in Official Records Book 23989 at Page 3022 of the Public Records of Miami-Dade County, Florida.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions.

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is incorporated within the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Respectfully submitted this 9 day of January, 2006.

Javier L. Vazquez, Esq.
Javier L. Vazquez, P.A.
8061 N.W. 155th Street
Miami Lakes, Florida 33016

By: 

Javier L. Vazquez, Esquire


Florida Bar No.: 0861121

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

The foregoing instrument was acknowledged before this 9 day of January, 2006
by **Javier L Vazquez**, who is personally known to me.



Jasmine Zanetti
My Commission DDS11888
Expires April 30, 2008


Notary Public
Printed Name: **Jasmine Zanetti**

My Commission Expires:

C. THREE M. DEVELOPMENT, INC.
(Applicant)

06-1-CZ14-2 (05-188)
Area 14/District 8
Hearing Date: 2/15/06

Property Owner (if different from applicant) Same.

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
-------------	------------------	----------------	--------------	-----------------

NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY
COMMUNITY ZONING APPEALS BOARD - AREA 14
MOTION SLIP**

APPLICANT'S NAME: THREE M. DEVELOPMENT, INC.

2

REPRESENTATIVE: _____

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
06-1-CZ14-2 (05-188)	JANUARY 18, 2006	CZAB14 06

REQ: AU to RU-1

REC: APPROVAL SUBJECT TO ACCEPTANCE OF PROFFERED COVENANT

- ☐ WITHDRAW: ☐ APPLICATION ☐ ITEM(S): _____
- ☐ DEFER: ☐ INDEFINITELY ☐ TO: _____ ☐ W/LEAVE TO AMEND
- ☐ DENY: ☐ WITH PREJUDICE ☐ WITHOUT PREJUDICE
- ☐ ACCEPT PROFFERED COVENANT ☐ ACCEPT REVISED PLANS
- ☐ APPROVE: ☐ PER REQUEST ☐ PER DEPARTMENT ☐ PER D.I.C.
- ☐ WITH CONDITIONS

☒ **NO QUORUM - CARRIED FORWARD TO FEB. 15, 2006 MEETING**

TITLE	M/S	NAME	YES	NO	ABSENT
MR.		Samuel L. BALLINGER			
MR.		Wilbur B. BELL			
MS.		Dawn Lee BLAKESLEE			
MS.		Rose L. EVANS-COLEMAN			
MR.		Don JONES			
VICE-CHAIRMAN		Curtis LAWRENCE (C.A.)			
MADAME CHAIRPERSON		DR. Pat WADE			

VOTE: _____

EXHIBITS: ☐ YES ☐ NO

COUNTY ATTORNEY: TOM ROBERTSON

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14**

APPLICANT: Three M Development, Inc.

PH: Z05-188 (06-1-CZ14-2)

SECTION: 14-57-38

DATE: February 15, 2006

COMMISSION DISTRICT: 8

ITEM NO.: C

A. INTRODUCTION

o **REQUEST:**

AU to RU-1

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the property from AU, Agricultural District, to RU-1, Single-Family Residential District.

o **LOCATION:**

Lying approximately 667' south of SW 312 Street, and east of theoretical SW 190 Avenue, Miami-Dade County, Florida.

o **SIZE:** 2.54 Gross Acres

o **IMPACT:**

The approval of the requested district boundary change will allow the applicant to provide eleven (11) additional single-family housing units for the community. The rezoning of this 2.54-acre site will have a minor impact on the schools, water and sewer services, as well as increase the traffic in the area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.
2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land

Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU; vacant property

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

NORTH: RU-1; single-family residential

Low Density Residential, 2.5 to 6 du

SOUTH: AU; single-family residence

Low Density Residential, 2.5 to 6 du

EAST: EU-M; single-family residence

Low Density Residential, 2.5 to 6 du

WEST: AU; nursery

Low Density Residential, 2.5 to 6 du

The subject property is located approximately 667' south of SW 312 Street and east of theoretical SW 190 Avenue. The property to the north is developed with single-family residences. The properties to the south and the east have existing single-family residences on them, while the properties to the west are developed with a nursery.

E. SITE AND BUILDINGS:

Site Plan Review:

(no site plan submitted)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

N/A

Compatibility:

Acceptable

Landscape Treatment:

N/A

Open Space:

N/A

Buffering:

N/A

Access:

Acceptable

Parking Layout/Circulation:

N/A

Visibility/Visual Screening:

N/A

Energy Considerations:

N/A

Roof Installations:

N/A

Service Areas:

N/A

Signage:

N/A

Urban Design:

N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(F). In evaluating an application for a **district boundary change** the Board shall take into consideration, among other factors the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection
Parks	No comment
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	Objects / 5 students

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

This item was deferred from the January 18, 2006 meeting, due to a lack of quorum. The 2.54-acre subject property is located approximately 667' south of SW 312 Street and east of theoretical SW 190 Avenue. The applicant is seeking to rezone the property from AU, Agricultural District, to RU-1, Single-Family Residential District. The property to the north is zoned RU-1 and currently developed with single-family residences. The areas to the south and to the west of the subject property are characterized by AU-zoned properties, and the area directly to the east is designated as an EU-M zoned district. The applicant's property is located over one-half (.5) mile east and one and one-half (1.5) miles south of and within the Urban Development Boundary line. The applicant has proffered a covenant restricting the development to a maximum of eight (8) units and indicating that the development will not utilize any cul-de-sacs.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. Their memorandum indicates that although this application will generate **11 additional PM** daily peak hour vehicle trips, the traffic distribution of these trips will not exceed the acceptable levels of service (LOS) on the surrounding roadways which are currently operating at LOS "A" and "B" of the streets serving the surrounding community. Furthermore, this land requires platting in accordance with Chapter 28 of the Code of Miami-Dade County. The road dedications and improvements will be accomplished through the recording of a plat. Miami-Dade Public Schools (**MDCPS**) has indicated that the proposed zoning will bring an additional **5 students** into the area's public schools. They indicate that Homestead Middle School and South Dade Senior High School are the schools that will be impacted by this development, which are currently operating at 119% and 132% of FISH (Florida Inventory of School Houses) utilization, respectively. Their memorandum indicates that in accordance with the Review Criteria established by the Board, the School District is requesting that the application **be denied**, or that it **be deferred** until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area. The applicant advised that they are unable to proffer any additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance.

As previously mentioned, the rezoning of this 2.54-acre site will have a minor impact on the schools, water and sewer services, as well as increase the traffic in the area. Although RU-1 zoning would continue the trend of development at a higher density than what currently exists to the east (AU), west (EU-M) and south (AU), in staff's opinion, this request is compatible with the surrounding area. Approval of this application, subject to the Board's acceptance of the proffered covenant, would allow the applicants to provide eight (8) additional housing units for the community. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use, which permits a minimum of 2.5 to a maximum of 6 units per acre, for a total of 15 units on the subject property. The requested RU-1 zoning district would allow a total of 11 units, at a density of 4.65 units per gross acre. The applicant's proposal of 8 units is within the density allowed under the LUP map's density designation and within the density

attainable by the proposed RU-1 zoning district. As such, the proposed RU-1 zoning would be **consistent** with the LUP map designation of the Master Plan. The surrounding area is a mix of residential and agricultural zoning districts. Directly to the north is an RU-1 zoned district with single-family residences; and to the east is an EU-M zoned district. The properties adjacent to the applicant's parcel both to the south and west are currently AU-zoned properties. The applicant's proffer that the development of the site will not have cul-de-sacs will ensure street connectivity to existing and future roadways and developments in keeping with urban design principles. In staff's opinion, the proposed subdivision of the subject property will be **compatible** with the surrounding AU, EU-M and RU-1 zoned properties in the area.

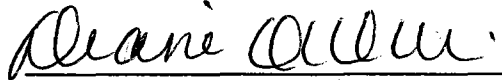
The requested zone change to RU-1 will be **compatible** with the surrounding community and **consistent** with the Land Use Plan map of the CDMP. Staff, therefore, recommends approval of the district boundary change subject to the Board's acceptance of the proffered covenant.

I. RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant.

J. CONDITIONS: None.

DATE INSPECTED: 11/01/05
DATE TYPED: 11/02/05
DATE REVISED: 11/30/05; 12/20/05; 01/23/06
DATE FINALIZED: 01/23/06
DO'QW:AJT:MTF:LVT:JV:JGM


Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



RECEIVED
SEP 15 2005

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

Date: September 13, 2005

To: Diane O'Quinn-Williams, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

Subject: C-14 #Z2005000188-Revised
Three M Development, Inc.
S/O SW 312th Street and E/O theoretical SW 190th Avenue
District Boundary Change from AU to RU-1
(AU) (2.5 Ac.)
14-57-38

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply:

Public water can be made available to this site; therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal:

The closest public sanitary sewer main is a 24-inch force main located at the intersection of S.W. 189th Avenue and S.W. 316th Street, approximately 675 feet from the site; beyond feasible distance for connection to the public sanitary sewer system. Consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

The subject application seeks to subdivide a parcel of land into eight lots. Section 24-13.1(3) of the Code provides that the minimum lot size for a single family residence served by public water and a septic tank shall be 15,000 square feet (gross) of unsubmerged land. Inasmuch as the proposed RU-1 zoning classification would permit lots that would have less area than what the Code requires, the applicant has applied for and obtained a variance from the requirements of the aforesaid Code Section from the Miami-Dade County Environmental Quality Control (EQCB). Accordingly, DERM may approve the applicant and the same may be scheduled for public hearing. The applicant is advised that regardless the density permitted under the requested RU-1 zoning classification, the maximum number of lots that DERM would approve for the subject property is eight, as provided for by the approval granted by the EQCB.

Stormwater Management:

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site

development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject property does not contain jurisdictional wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: THREE M. DEVELOPMENT, INC.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 11 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9948	SW 312 St. w/o US-1	B	B
9950	SW 320 St. e/o US-1	B	B
F-518	SW 177 Ave. n/o US-1	B	B

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

07-DEC-05



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools
Rudolph F. Crew, Ed.D.

September 26, 2005

Ana Riyo-Conde, AICP, Facilities Planning Officer
Facilities Planning

Miami-Dade County School Board

Frank J. Bolaños, Chair
Dr. Robert B. Ingram, Vice Chair
Agustín J. Barrera
Evelyn Langlieb Greer
Perla Tabares Hantman
Dr. Martin Karp
Ana Rivas Logan
Dr. Marta Pérez
Dr. Solomon C. Stinson

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: Three M Development, Inc. - Application No. 05-188 (CC14)
South of SW 312 Street and East of SW 190 Avenue

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Homestead Middle School and South Dade Senior High School currently operating at 119% and 132% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Homestead Middle School to 120% (please see enclosed analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal, and the recently approved Review Criteria the District met with the applicant on September 7, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. The applicant advised that he is unable to proffer any additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance.

In accordance with the Review Criteria established by the Board, the School District is requesting that the application be denied, or that it be deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

School Board Administration Building • 1450 N.E. 2nd Avenue, Suite 525 • Miami, Florida 33132
305-995-7285 • FAX 305-995-4760 • arijo@dadeschools.net

Ms. Maria Teresa-Fojo
September 26, 2005
Page Two

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis.

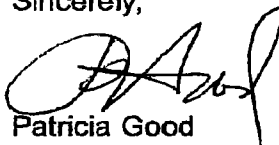
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (Impact fees) based on the following formula:

$\text{New residential unit square footage} \times .90 \text{ (Square Footage Fee)} + \$600.00 \text{ (Base Fee)} + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$

As an example, assuming the proposed unit is 2,00 square feet, the 8-unit development is estimated to generate approximately \$19,200 (\$2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,


Patricia Good
Coordinator III

PG:am
L-0385
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albuerna
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. Javier L. Vazquez

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 05-188, Three M Development, Inc. (CC14)
REQUEST: Zone change from AU to RU-1M(a)
ACRES: 2.5 acres
MSA/Multiplier: 7.3/.60
LOCATION: South of SW 312 Street and East of SW 190 Avenue
**NUMBER OF
UNITS:** 8 single-family units
**ESTIMATED
STUDENT
POPULATION:** 5 students*
ELEMENTARY: 2
MIDDLE: 1
SENIOR: 2

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: West Homestead Elementary - 1550 SW 6 St.
MIDDLE: Homestead Middle - 650 NW 2 Ave.
SENIOR HIGH: South Dade Senior - 28401 SW 167 Ave.

All schools are located in Region 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of August, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS**
West Homestead Elem.	820/ 822*	806	102%/ 102%*	36	97%/ 98%*	841
Homestead Middle	1202/ 1203*	848	142%/ 142%*	158	119%/ 120%*	1236
South Dade Sr.	2774/ 2776*	1721	161%/ 161%*	380	132%/ 132%*	2971

* increased student population as a result of the proposed development.

** Estimated number of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, the middle and senior high schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(information included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1604 student stations)	Design	June 2007
State School "CCC1" (South Dade Sr. High School Partial Replacement) (1522 additional student stations)	Design	March 2008

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	806
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2452
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	3243

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$32,745.

CAPITAL COSTS: Based on the State's August-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	2 x	\$ 13,588	=	\$ 27,176
MIDDLE	1 x	\$ 15,579	=	\$ 15,579
SENIOR	2 x	\$ 20,616	=	\$ 41,232
Total Potential Capital Cost				\$ 83,987

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

Charter School Growth in Miami-Dade County

School Name	Actual Enrollment (8-10-05)	Projected Enrollment (as of 10/05)		
		2005-2006	2006-2007	Maximum
Academy of Arts & Minds	139	400	500	500
Archimedean Academy	432	525	525	525
Archimedean Middle Conservatory	55	160	240	240
ASPIRA Eugenio Maria de Hostos	299	600	600	600
ASPIRA Youth Leadership	291	450	450	450
ASPIRA South Youth Leadership	202	210	450	600
Aventura City of Excellence School	671	900	900	900
Balere Language Academy	155	175	250	450
Coral Reef Montessori	324	500	500	500
Doctors Charter School of Miami Shores	401	375	450	525
Doral Academy	728	2,200	2200	2,200
Doral Academy Middle School	809	1,250	1250	1,250
Doral Academy High School	908	1,800	1800	1,800
Doral Performing Arts & Entertainment Academy	50	100	150	200
Downtown Miami Charter School	558	650	650	650
Early Beginnings Academy – Civic Center	25	80	80	80
Early Beginnings Academy – North Shore	12	43	43	70
Florida International Academy	258	350	350	350
International Studies Charter High School	80	500	750	1,000
Keys Gate Charter School	1,085	1,150	1,150	1,150
Lawrence Academy	69	120	250	450
Liberty City Charter School	372	705	705	705
Life Skills Center Miami-Dade County	13	300	450	600
Mater Academy	700	1,150	1,150	1,150
Mater Academy Charter High School	1,158	1,300	1,300	1,300
Mater Academy Charter Middle School	1,157	1,300	1,300	1,300
Mater Academy East Charter School	310	800	800	800
Mater Academy East Middle School	103	250	250	250
Mater Performing Arts & Entertainment Academy	97	100	150	200
Miami Children's Museum	72	350	350	350
Miami Community Charter School	221	600	600	600
Oxford Academy of Miami	101	450	450	450
Pinecrest Preparatory Academy Middle School	216	750	800	800
Pinecrest Preparatory Academy	743	1,250	1,250	1,250
Rosa Parks Charter School/Florida City	192	400	600	600
Renaissance Elementary Charter School	444	500	500	500
Renaissance Middle Charter School	43	50	700	1,600
Sandor Wiener School of Opportunity	19	72	72	72
Sandor Wiener School of Opportunity, South	17	36	36	36
School for Integrated Academics & Technologies	262	600	800	800
Somerset Academy	514	700	700	700
Somerset Academy Charter Middle School	70	300	300	300
Somerset Academy Charter High School	7	250	375	500
Spiral Tech Elementary Charter School	71	290	290	290
Spirit City Academy	40	250	300	400
Sunshine Academy	100	150	200	450
The Charter School at Waterstone	1,001	1,000	1,000	1,000
Theodore R. and Thelma A. Gibson Charter School	11	500	600	600
Transitional Learning Academy	28	48	48	72
Youth Co-Op Charter School	508	525	525	525
TOTAL: 50 schools	16,141	27,514	30,139	32,690

Board Approved Contracts for Schools to Open in Future Years			
School Name	Projected Enrollment (as per contract)		
	2006-2008	2008-2009	Maximum
Charter on the Beach Middle School	-0-	250	250
Liceo ENLACE Miami Charter Academy	-0-	475	775
A Child's Journey Charter School	-0-	175	600
Atlantic Science Academy	-0-	600	840
Cooperative Charter School	-0-	100	200
Dr. Joseph Coats Grace Community Charter School	-0-	600	600
Excelsior Academy of Miami	-0-	450	450
Mosaic Bilingual Academy	-0-	120	365
North Miami/Florida Int'l Univ. Charter Sr. High School	-0-	800	1,600
Pinecrest Academy Charter High School	-0-	600	850
South Dade Charter Elementary School	-0-	625	750
Summerville Charter School	-0-	600	600
TOTAL: 12 schools	-0-	5,395	7,880
SUB-TOTAL (EXISTING + APPROVED): 62 schools	27,514	35,534	40,570

Board Approved applications for schools opening in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Somerset Academy	6	6,400
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School	1	800
Charter Academy of Excellence	1	600
Palmetto Bay Charter Academy	1	1,600
Princeton Charter Academy	1	1,600
Homestead Charter High School	1	2,000
South Miami-Dade Charter Elementary School	1	600
South Miami-Dade Charter Middle School	1	300
Total :	18 schools	17,050
GRAND TOTALS		
Number of Schools	80	57,620

NEW CHARTER SCHOOLS FOR 2005-2006

W/L	Name and Address of Charter School	Contact Information	Grade Levels
6006	Archimedean Middle Conservatory 12425 SW 72 St. Miami, FL 33183	Ms. Vasiliki Moysidis 305 640-6278	6-8
7016	Bridge Academy <i>Main Campus:</i> 8325 NE 2 Ave., Miami, FL 33138 <i>South Campus:</i> 224 Washington Ave., Homestead, FL 33030	Dr. Leo S. Cardona 954 907-2771 786 513-0546 Fax drleoc@myfra.com	12
6007	Charter on the Beach Middle School 2301 Normandy Dr. Miami Beach, FL 33141	Ms. Gladys Palacio 786 258-2505 gladyspalacio@aol.com	7-8
6040	Doctors Charter School of Miami Shores 11301 NW 5 Ave. Miami Shores, FL 33138	Ms. Maggie Manrara 305 795-2207 manraram@miamishoresvillage.com	6-12
7009	Doral Performing Arts & Entertainment Academy 11100 NW 27 St., Doral, FL 33172 and 2601 NW 112 Ave., Doral, FL 33172	Ms. Ofelia Alvarez 305 597-9950	9-12
4080	Early Beginnings – North Shore 985 NW 91 St. Miami, FL 33150 (North Shore Medical Center)	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
4070	Early Beginnings – Civic Center 1411 NW 14 Ave. Miami, Florida 33125	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
6027	Transitional Learning Academy 1411 NW 14 Ave. Miami, Florida 33125	Ms. Pamela Miller, Principal United Cerebral Palsy 305 325-1080	8-12
6008	Lawrence Academy 777 West Palm Drive Florida City, FL 33034	Dr. Keitha Burnett 305 281-3052 mkbur293@aol.com	6-8
1000	Liceo ENLACE! Miami 9705 E. Hibiscus Palmetto Bay, FL 33157	Ms. Lucy Puella-Capone 305 213-7723 ces1234@aol.com	K-8
6009	Mater East Academy Middle School 450 SW 4 St. Miami, FL 33130	Ms. Ana Valdes, Principal 305 324-4667	6-8

W/L	Name and Address of Charter School	Contact Information	Grade Levels
7014	Mater Performing Arts & Entertainment Academy 7901 NW 103 St. Hialeah Gardens, FL 33016	Ms. Christine McGuinn, Principal 305 828-1886	9-12
5010	Oxford Academy of Miami 10870 SW 106 St. Miami, FL 33178	Mr. Tobias Hernandez, Principal 305 598-4494 305 275-2003 Fax	K-5
5030	Sandor Wiener School of Opportunity, South 11025 SW 84 St. Miami, FL 33173	Ms. Lissa Gonzalez, Principal 305 279-3064 Lgonzalez1@dadeschools.net	PK-5
5050	Sunshine Academy 1733 NE 162 St. N. Miami Beach, FL 33162	Ms. Ann-Marie Manzano, Director 786 210-8324 manzanos5@netzero.net	K-8
1010	The Charter School at Waterstone 855 East Waterstone Way Homestead, FL 33034	Dr. Cristina Cruz, Principal drcruzwaterstone@aol.com Temporary office: Prime Outlets Mall 250 East Palm Drive, Suite 245 Florida City, FL 33034 305 248-6208 Fax: 305 248-6208 Email: info@charterschoolatwaterstone.com Web: www.charterschoolatwaterstone.com	K-8
6029	Spirit City Academy 3400 NW 135 St. Opa-locka, FL 33054	Ms. Cecilia Honeywood, Principal 786 493-1546 cahoneywood@dadeschools.net	6-8
7015	Life Skills Center Miami-Dade County 3535 NW 7 Street Miami, FL 33125	Mr. Jose Filpo 305 643-9111 305 643-9141 Fax jose.filpo@lifeskillscenters.com	10-12
6028	Renaissance Middle Charter School <i>Temporary location for 05-06:</i> 8360 NW 33 St. Miami, FL 33122	Ms. Ana Cordal, Principal 305 591-2225 acordal@dadeschools.net	6-8

Memorandum



Date: 18-JUL-05
To: Diane O'Quinn Williams, Director
Department of Planning and Zoning
From: Heminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue
Subject: Z2005000188

Fire Prevention Unit:

No objection to Case # Z2005000188

Service Impact/Demand:

Development for the above Z2005000188
located at APPROX 667' SOUTH OF S.W. 312 STREET, EAST OF THEORETICAL S.W. 190 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.
in Police Grid 2590 is proposed as the following:

<u>8 units</u> single	dwelling units	<u> </u> industrial	square feet
<u> </u> multifamily	dwelling units	<u> </u> institutional	square feet
<u> </u> commercial	square feet	<u> </u> nursing home	square feet

Based on this development information, estimated service impact is: 2.1 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 16 325 NW 2nd. Street Homestead.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
Station R Florida City Vicinity of NW 170 Street & 92 Ave.

Fire Planning Additional Comments:

No objection.

DATE: 07/13/05

TEAM METRO

ENFORCEMENT HISTORY

THREE M DEVELOPMENT INC.

APPROX 667' SOUTH OF S.W. 312
STREET, EAST OF THEORETICAL
S.W. 190 AVENUE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2005000188

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

7-12-05 No violations.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Three M Development, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Manuel A. Sanchez</u>	<u>50%</u>
<u>Maria Dolores Sanchez</u>	<u>50%</u>
<u>11905 SW 47 Street, Miami, FL 33175</u>	<u></u>

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.


NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

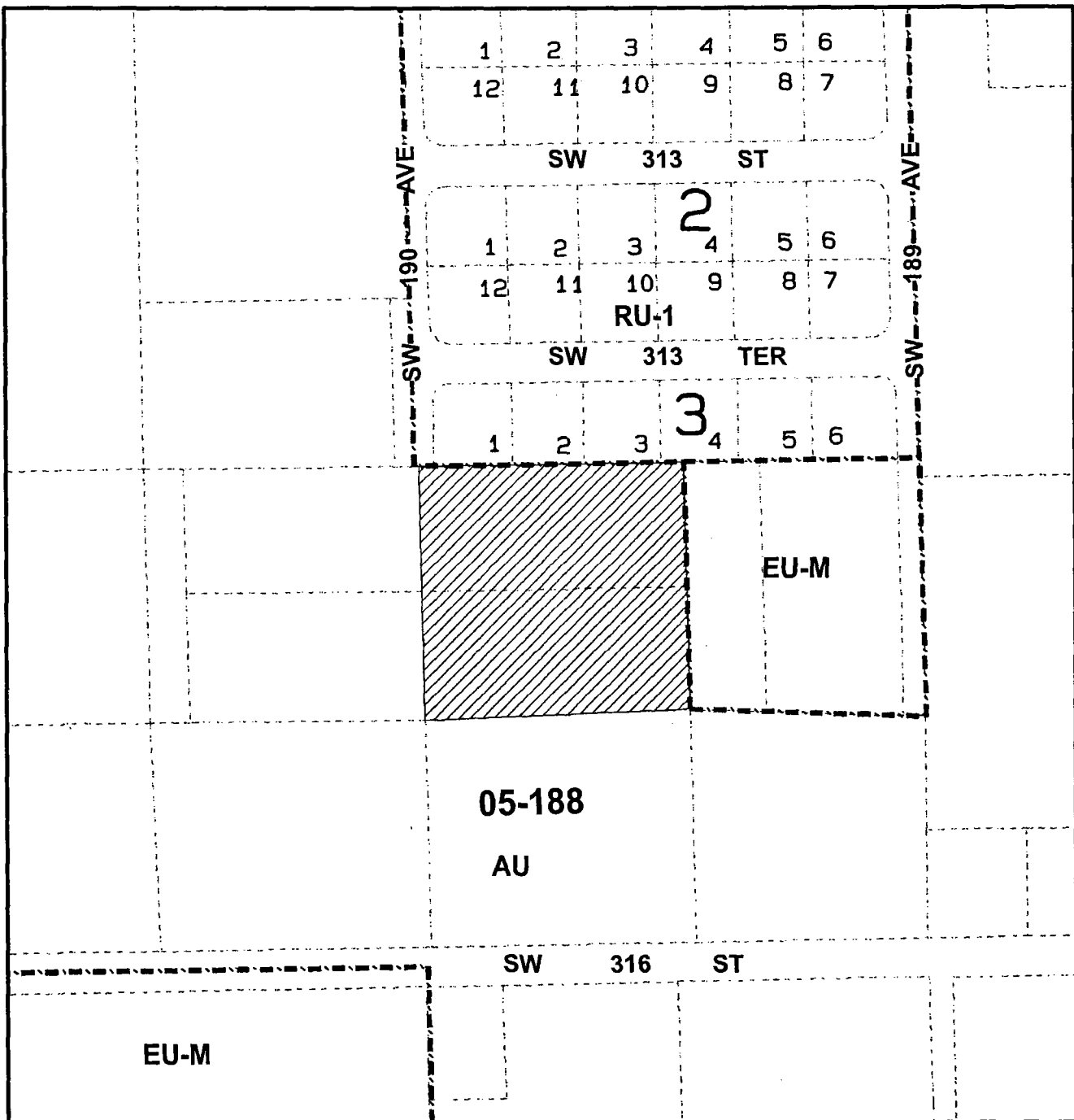
Signature: _____
(Applicant)

Sworn to and subscribed before me this 1st day of JULY 2005. Affiant is personally known to me or has produced _____ as identification.

Notary Public
My commission expires: _____

 Jasmine Zanetti
My Commission DD311896
Expires April 20, 2008

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



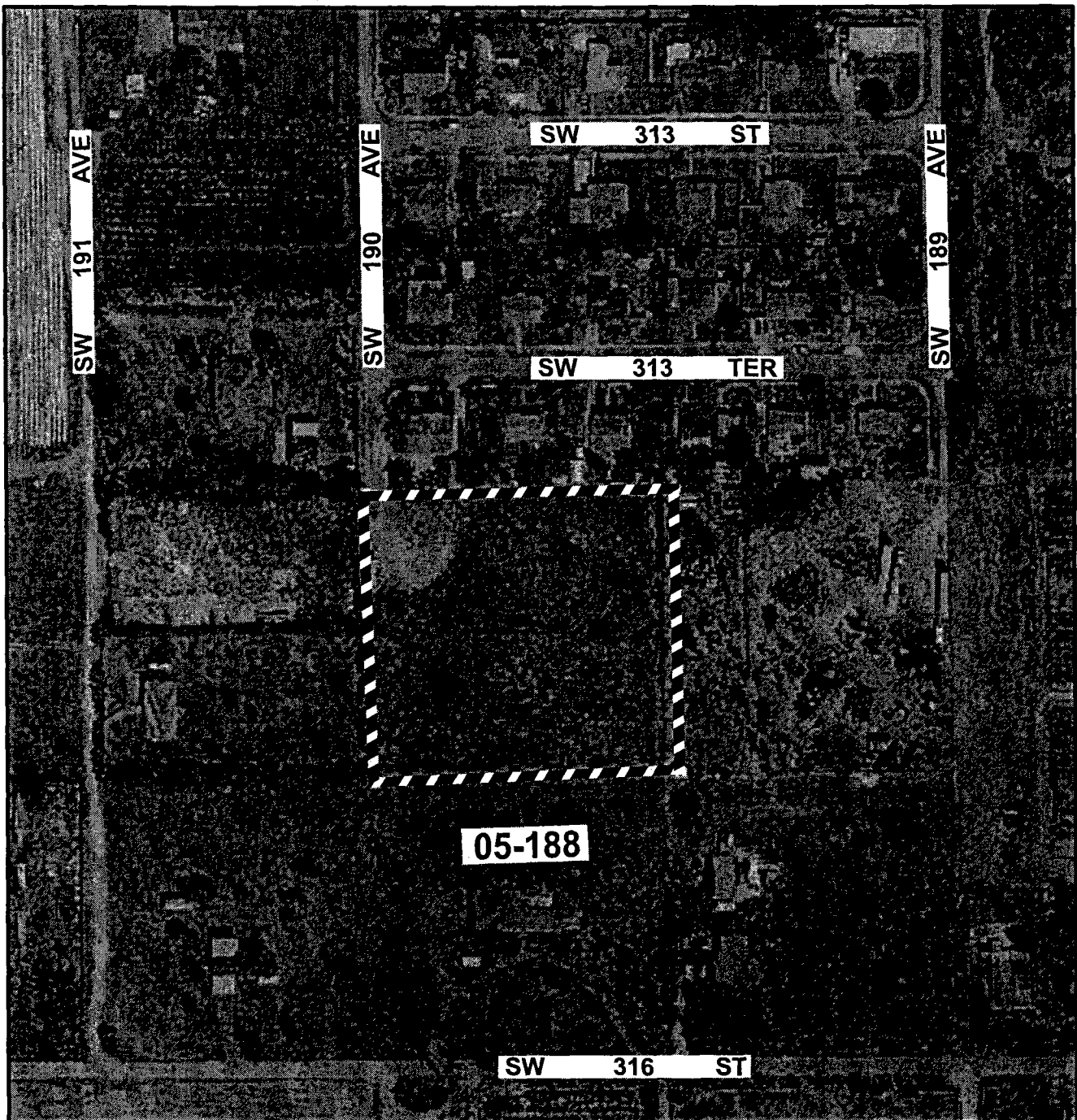
**MIAMI-DADE COUNTY
HEARING MAP**

Section: 14 Township: 57 Range: 38
 Process Number: 05-188
 Applicant: THREE M DEVELOPMENT INC.
 District Number: 08
 Zoning Board: C14
 Drafter: ALFREDO
 Scale: 1:200'



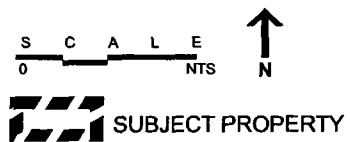
 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 14 Township: 57 Range: 38
Process Number: 05-188
Applicant: THREE M DEVELOPMENT INC.
District Number: 08
Zoning Board: C14
Drafter: ALFREDO
Scale: NTS



2. THREE M. DEVELOPMENT, INC.
(Applicant)

06-1-CZ14-2 (05-188)
Area 14/District 8
Hearing Date: 1/18/06

Property Owner (if different from applicant) **Same.**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☒

Disclosure of interest form attached? Yes ☒ No ☐

Previous Zoning Hearings on the Property:

<u>Year</u>	<u>Applicant</u>	<u>Request</u>	<u>Board</u>	<u>Decision</u>
--------------------	-------------------------	-----------------------	---------------------	------------------------

NONE

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

**MIAMI-DADE COUNTY DEPARTMENT OF PLANNING AND ZONING
RECOMMENDATION TO COMMUNITY COUNCIL No. 14**

APPLICANT: Three M Development, Inc.

PH: Z05-188 (06-1-CZ14-2)

SECTION: 14-57-38

DATE: January 18, 2006

COMMISSION DISTRICT: 8

ITEM NO.: 2

A. INTRODUCTION

o **REQUEST:**

AU to RU-1

o **SUMMARY OF REQUEST:**

The request will allow the applicant to change the zoning on the property from AU, Agricultural District, to RU-1, Single-Family Residential District.

o **LOCATION:**

Lying approximately 667' south of SW 312 Street, and east of theoretical SW 190 Avenue, Miami-Dade County, Florida.

o **SIZE:** 2.54 Gross Acres

o **IMPACT:**

The approval of the requested district boundary change will allow the applicant to provide eleven (11) additional single-family housing units for the community. The rezoning of this 2.54-acre site will have a minor impact on the schools, water and sewer services, as well as increase the traffic in the area.

B. ZONING HEARINGS HISTORY: None.

C. COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP):

1. The Adopted 2005 and 2015 Land Use Plan designates the subject property as being within the Urban Development Boundary for **Low Density Residential**. The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 units per gross acre. This density category is generally characterized by single family housing, e.g., single-family detached, cluster, zero lot line and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

2. Existing lawful residential and non-residential uses and zoning are not specifically depicted on the LUP map. They are however reflected in the average Plan density depicted. All such lawful uses and zoning are deemed to be consistent with this Plan as provided in the section of this chapter titled "Concepts and Limitations of the Land

Use Plan Map." The limitations referenced in this paragraph pertain to existing zoning and uses. All approval of new zoning must be consistent with the provisions of the specific category in which the subject parcel exists, including the provisions for density averaging and definition of gross density.

D. NEIGHBORHOOD CHARACTERISTICS:

ZONING

LAND USE PLAN DESIGNATION

Subject Property:

AU; vacant property

Low Density Residential, 2.5 to 6 du

Surrounding Properties:

NORTH: RU-1; single-family residential

Low Density Residential, 2.5 to 6 du

SOUTH: AU; single-family residence

Low Density Residential, 2.5 to 6 du

EAST: EU-M; single-family residence

Low Density Residential, 2.5 to 6 du

WEST: AU; nursery

Low Density Residential, 2.5 to 6 du

The subject property is located approximately 667' south of SW 312 Street and east of theoretical SW 190 Avenue. The property to the north is developed with single-family residences. The properties to the south and the east have existing single-family residences on them, while the properties to the west are developed with a nursery.

E. SITE AND BUILDINGS:

Site Plan Review:

(no site plan submitted)

Scale/Utilization of Site:

Acceptable

Location of Buildings:

N/A

Compatibility:

Acceptable

Landscape Treatment:

N/A

Open Space:

N/A

Buffering:

N/A

Access:

Acceptable

Parking Layout/Circulation:

N/A

Visibility/Visual Screening:

N/A

Energy Considerations:

N/A

Roof Installations:

N/A

Service Areas:

N/A

Signage:

N/A

Urban Design:

N/A

F. PERTINENT REQUIREMENTS/STANDARDS:

Section 33-311(F). In evaluating an application for a **district boundary change** the Board shall take into consideration, among other factors the extent to which:

- (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;
- (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;
- (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;
- (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;
- (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.

G. NEIGHBORHOOD SERVICES:

DERM	No objection*
Public Works	No objection
Parks	No comment
MDTA	No objection
Fire Rescue	No objection
Police	No objection
Schools	Objects / 5 students

*Subject to conditions indicated in their memorandum.

H. ANALYSIS:

The 2.54-acre subject property is located approximately 667' south of SW 312 Street and east of theoretical SW 190 Avenue. The applicant is seeking to rezone the property from AU, Agricultural District, to RU-1, Single-Family Residential District. The property to the north is zoned RU-1 and currently developed with single-family residences. The areas to the south and to the west of the subject property are characterized by AU-zoned properties, and the area directly to the east is designated as an EU-M zoned district. The applicant's property is located over one-half (.5) mile east and one and one-half (1.5) miles south of and within the Urban Development Boundary line. The applicant has proffered a covenant restricting the development to a maximum of eight (8) units and indicating that the development will not utilize any cul-de-sacs.

The Department of Environmental Resources Management (**DERM**) **does not object** to this application and indicates that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County. However, the applicant will have to comply with all DERM conditions as set forth in their memorandum pertaining to this application. The **Public Works Department** has **no objections** to this application. Their memorandum indicates that although this application will generate 11 additional **PM** daily peak hour vehicle trips, the traffic distribution of these trips will not exceed the acceptable levels of service (LOS) on the surrounding roadways which are currently operating at LOS "A" and "B" of the streets serving the surrounding community. Furthermore, this land requires platting in accordance with Chapter 28 of the Code of Miami-Dade County. The road dedications and improvements will be accomplished through the recording of a plat. Miami-Dade Public Schools (**MDCPS**) has indicated that the proposed zoning will bring an additional **5 students** into the area's public schools. They indicate that Homestead Middle School and South Dade Senior High School are the schools that will be impacted by this development, which are currently operating at 119% and 132% of FISH (Florida Inventory of School Houses) utilization, respectively. Their memorandum indicates that in accordance with the Review Criteria established by the Board, the School District is requesting that the application **be denied**, or that it **be deferred** until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area. The applicant advised that they are unable to proffer any additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance.

As previously mentioned, the rezoning of this 2.54-acre site will have a minor impact on the schools, water and sewer services, as well as increase the traffic in the area. Although RU-1 zoning would continue the trend of development at a higher density than what currently exists to the east (AU), west (EU-M) and south (AU), in staff's opinion, this request is compatible with the surrounding area. Approval of this application, subject to the Board's acceptance of the proffered covenant, would allow the applicants to provide eight (8) additional housing units for the community. The Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP) designates this site for **Low Density Residential** use, which permits a minimum of 2.5 to a maximum of 6 units per acre, for a total of 15 units on the subject property. The requested RU-1 zoning district would allow a total of 11 units, at a density of 4.65 units per gross acre. The applicant's proposal of 8 units is within the density allowed under the LUP map's density designation and within the density attainable by the proposed RU-1 zoning district. As such, the proposed RU-1 zoning would

be **consistent** with the LUP map designation of the Master Plan. The surrounding area is a mix of residential and agricultural zoning districts. Directly to the north is an RU-1 zoned district with single-family residences, and to the east is an EU-M zoned district. The properties adjacent to the applicant's parcel both to the south and west are currently AU-zoned properties. The applicant's proffer that the development of the site will not have cul-de-sacs will ensure street connectivity to existing and future roadways and developments in keeping with urban design principles. In staff's opinion, the proposed subdivision of the subject property will be **compatible** with the surrounding AU, EU-M and RU-1 zoned properties in the area.

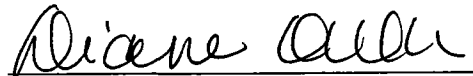
The requested zone change to RU-1 will be **compatible** with the surrounding community and **consistent** with the Land Use Plan map of the CDMP. Staff, therefore, recommends approval of the district boundary change subject to the Board's acceptance of the proffered covenant.

I. RECOMMENDATION:

Approval, subject to the Board's acceptance of the proffered covenant.

J. CONDITIONS: None.

DATE INSPECTED: 11/01/05
DATE TYPED: 11/02/05
DATE REVISED: 11/30/05; 12/20/05
DATE FINALIZED: 12/20/05
DO'QW:AJT:MTF:LVT:JV:JGM



Diane O'Quinn Williams, Director
Miami-Dade County Department of
Planning and Zoning

Memorandum



RECEIVED
SEP 15 2005

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

Date: September 13, 2005

To: Diane O'Quinn-Williams, Director
Department of Planning and Zoning

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

Subject: C-14 #Z2005000188-Revised
Three M Development, Inc.
S/O SW 312th Street and E/O theoretical SW 190th Avenue
District Boundary Change from AU to RU-1
(AU) (2.5 Ac.)
14-57-38

The Department of Environmental Resources Management (DERM) has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply:

Public water can be made available to this site; therefore, connection will be required.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Wastewater Disposal:

The closest public sanitary sewer main is a 24-inch force main located at the intersection of S.W. 189th Avenue and S.W. 316th Street, approximately 675 feet from the site; beyond feasible distance for connection to the public sanitary sewer system. Consequently, any proposed development would have to be served by a septic tank and drainfield as a means for the disposal of domestic liquid waste.

The subject application seeks to subdivide a parcel of land into eight lots. Section 24-13.1(3) of the Code provides that the minimum lot size for a single family residence served by public water and a septic tank shall be 15,000 square feet (gross) of unsubmerged land. Inasmuch as the proposed RU-1 zoning classification would permit lots that would have less area than what the Code requires, the applicant has applied for and obtained a variance from the requirements of the aforesaid Code Section from the Miami-Dade County Environmental Quality Control (EQCB). Accordingly, DERM may approve the applicant and the same may be scheduled for public hearing. The applicant is advised that regardless the density permitted under the requested RU-1 zoning classification, the maximum number of lots that DERM would approve for the subject property is eight, as provided for by the approval granted by the EQCB.

Stormwater Management:

A Surface Water Management General Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to site

development, final plat or public works approval of paving and drainage plans. The applicant is advised to contact DERM for further information regarding permitting procedures and requirements.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

Site grading and development shall comply with the requirements of Chapter 11C of the Code.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

The subject property does not contain jurisdictional wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

DERM has conducted a concurrency review for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings- P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z

PUBLIC WORKS DEPARTMENT COMMENTS

Applicant's Names: THREE M. DEVELOPMENT, INC.

This Department has no objections to this application.

This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. The road dedications and improvements will be accomplished thru the recording of a plat.

This application does meet the traffic concurrency criteria for an Initial Development Order. It will generate 11 PM daily peak hour vehicle trips. The traffic distribution of these trips to the adjacent roadways reveal that the addition of these new trips does not exceed the acceptable level of service of the following roadways:

Sta.#		LOS present	LOS w/project
9948	SW 312 St. w/o US-1	B	B
9950	SW 320 St. e/o US-1	B	B
F-518	SW 177 Ave. n/o US-1	B	B

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.



Raul A Pino, P.L.S.

07-DEC-05



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Rudolph F. Crew, Ed.D.

September 26, 2005

Ana Rijo-Conde, AICP, Facilities Planning Officer
Facilities Planning

Miami-Dade County School Board

Frank J. Bolaños, Chair

Dr. Robert B. Ingram, Vice Chair

Agustin J. Barrera

Evelyn Langlieb Greer

Perla Tabares Hantman

Dr. Martin Karp

Ana Rivas Logan

Dr. Marta Pérez

Dr. Solomon C. Stinson

Ms. Maria Teresa-Fojo, Division Chief
Miami-Dade County
Department of Planning and Zoning
Zoning Evaluation Section
111 NW 1 Street, Suite 1110
Miami, Florida 33128

Re: Three M Development, Inc. - Application No. 05-188 (CC14)
South of SW 312 Street and East of SW 190 Avenue

Dear Ms. Fojo:

Pursuant to the state-mandated and School Board approved Interlocal Agreement, local government, the development community and the School Board are to collaborate on the options to address the impact of proposed residential development on public schools where the proposed development would result in an increase in the schools' FISH % utilization (permanent and relocatable), in excess of 115%. This figure is to be considered only as a review threshold and shall not be construed to obligate the governing agency to deny a development.

Attached please find the School District's (District) review analysis of potential impact generated by the above referenced application. Please note that two of the impacted school facilities meet the referenced review threshold. The proposed residential development will impact Homestead Middle School and South Dade Senior High School currently operating at 119% and 132% of FISH % utilization, respectively. However, utilizing the County's Census 2000 figures, the proposed residential development will increase the FISH % utilization of Homestead Middle School to 120% (please see enclosed analysis).

Additionally, at its April 13, 2005 meeting, the Board approved School District criteria that would allow District staff to make recommendations on residential zoning applications that impact public schools beyond the 115% of FISH capacity threshold (Review Criteria). Pursuant to the Interlocal, and the recently approved Review Criteria the District met with the applicant on September 7, 2005, to discuss the impact of the proposed development on public schools. The District is grateful that the applicant took the time to meet with the School District to discuss mitigation options outlined in the Review Criteria that may accommodate new students generated by the proposed application. The applicant advised that he is unable to proffer any additional mitigation other than the applicable impact fees as required by the Educational Facilities Impact Fee Ordinance.

In accordance with the Review Criteria established by the Board, the School District is requesting that the application be denied, or that it be deferred until such time as the applicant is able to address the impact of the proposed residential development on public schools in the area.

Ms. Maria Teresa-Fojo
September 26, 2005
Page Two

Please note the attached analysis depicts the relief schools planned in the area, which includes the recently approved Facilities Five Year Work Program.

Also, attached is a list of approved Charter School Facilities, which may provide relief on a countywide basis.

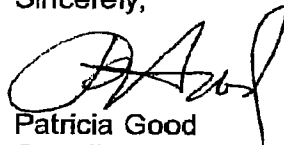
Additionally, pursuant to Miami-Dade County's Educational Facilities Impact Fee Ordinance the proposed development, if approved, will be required to pay educational facilities impact fees (Impact fees) based on the following formula:

$$\text{New residential unit square footage} \times .90 (\text{Square Footage Fee}) + \$600.00 (\text{Base Fee}) + 2\% \text{ administrative fee} = \text{Educational Facilities Impact fee}$$

As an example, assuming the proposed unit is 2,00 square feet, the 8-unit development is estimated to generate approximately \$19,200 (\$2,400 per unit, excluding the 2% administration fee) in impact fees. This figure may vary since the impact fees assessed are based on the actual square footage of each dwelling unit.

As always, thank you for your consideration and continued partnership in our mutual goal to enhance the quality of life for the residents of our community.

Sincerely,



Patricia Good
Coordinator III

PG:am
L-0385
Attachment

cc: Ms. Ana Rijo-Conde
Mr. Fernando Albueme
Mr. Michael A. Levine
Mr. Ivan M. Rodriguez
Ms. Vivian Villaamil
Mr. Javier L. Vazquez

SCHOOL IMPACT REVIEW ANALYSIS

APPLICATION: No. 05-188, Three M Development, Inc. (CC14)
REQUEST: Zone change from AU to RU-1M(a)
ACRES: 2.5 acres
MSA/Multiplier: 7.3/.60
LOCATION: South of SW 312 Street and East of SW 190 Avenue
**NUMBER OF
UNITS:** 8 single-family units
**ESTIMATED
STUDENT
POPULATION:** 5 students*
ELEMENTARY: 2
MIDDLE: 1
SENIOR: 2

SCHOOLS SERVING AREA OF APPLICATION:

ELEMENTARY: West Homestead Elementary - 1550 SW 6 St.
MIDDLE: Homestead Middle – 650 NW 2 Ave.
SENIOR HIGH: South Dade Senior - 28401 SW 167 Ave.

All schools are located in Region 6

* Based on Census 2000 information provided by the Miami-Dade County Department of Planning and Zoning.

The following population and facility capacity data are as reported by the Office of Information Technology, as of August, 2005:

	STUDENT POPULATION	FISH DESIGN CAPACITY PERMANENT	% UTILIZATION FISH DESIGN CAPACITY PERMANENT	NUMBER OF PORTABLE STUDENT STATIONS	% UTILIZATION FISH DESIGN CAPACITY PERMANENT AND RELOCATABLE	CUMULATIVE STUDENTS **
West Homestead Elem.	820/ 822*	806	102%/ 102%*	36	97%/ 98%*	841
Homestead Middle	1202/ 1203*	848	142%/ 142%*	158	119%/ 120%*	1236
South Dade Sr.	2774/ 2776*	1721	161%/ 161%*	380	132%/ 132%*	2971

* increased student population as a result of the proposed development.

** Estimated number of students (cumulative) based on zoning/land use log (2001- present) and assuming all approved developments are built; also assumes none of the prior cumulative students are figured in current population.

Notes:

- 1) Figures above reflect the impact of the class size amendment.
- 2) Pursuant to the Interlocal Agreement, the middle and senior high schools meet the review threshold.

PLANNED RELIEF SCHOOLS IN THE AREA

(Information included in proposed 5-Year Capital Plan, 2005-2009, dated January 2005):

Projects in Planning, Design or Construction

<u>School</u>	<u>Status</u>	<u>Projected Occupancy Date</u>
State School "SS1" (Redland and Homestead Middle School Relief) (1604 student stations)	Design	June 2007
State School "CCC1" (South Dade Sr. High School Partial Replacement) (1522 additional student stations)	Design	March 2008

Estimated Permanent Elementary Seats (Current and Proposed in 5-Year Plan)	806
Estimated Permanent Middle Seats (Current and Proposed in 5-Year Plan)	2452
Estimated Permanent Senior High seats (Current and Proposed in 5-Year Plan)	3243

Note: Some of the proposed schools will add relief to more than one school and new seats will be assigned based on projected need.

OPERATING COSTS: According to Financial Affairs, the average cost for K-12 grade students amounts to \$6,549 per student. The total annual operating cost for additional students residing in this development, if approved, would total \$32,745.

CAPITAL COSTS: Based on the State's August-2005 student station cost factors*, capital costs for the estimated additional students to be generated by the proposed development are:

ELEMENTARY	2 x	\$ 13,588	=	\$ 27,176
MIDDLE	1 x	\$ 15,579	=	\$ 15,579
SENIOR	2 x	\$ 20,616	=	\$ 41,232
Total Potential Capital Cost				\$ 83,987

* Based on Information provided by the Florida Department of Education, Office of Educational Facilities Budgeting. Cost per student station does not include land cost.

Charter School Growth in Miami-Dade County

School Name	Actual Enrollment (8-10-05)	Projected Enrollment (as per contract)		
		2005-2006	2006-2007	Maximum
Academy of Arts & Minds	139	400	500	500
Archimedean Academy	432	525	525	525
Archimedean Middle Conservatory	55	160	240	240
ASPIRA Eugenio Maria de Hostos	299	600	600	600
ASPIRA Youth Leadership	291	450	450	450
ASPIRA South Youth Leadership	202	210	450	600
Aventura City of Excellence School	671	900	900	900
Balere Language Academy	155	175	250	450
Coral Reef Montessori	324	500	500	500
Doctors Charter School of Miami Shores	401	375	450	525
Doral Academy	728	2,200	2200	2,200
Doral Academy Middle School	809	1,250	1250	1,250
Doral Academy High School	908	1,800	1800	1,800
Doral Performing Arts & Entertainment Academy	50	100	150	200
Downtown Miami Charter School	558	650	650	650
Early Beginnings Academy - Civic Center	25	80	80	80
Early Beginnings Academy - North Shore	12	43	43	70
Florida International Academy	258	350	350	350
International Studies Charter High School	80	500	750	1,000
Keys Gate Charter School	1,085	1,150	1,150	1,150
Lawrence Academy	69	120	250	450
Liberty City Charter School	372	705	705	705
Life Skills Center Miami-Dade County	13	300	450	600
Mater Academy	700	1,150	1,150	1,150
Mater Academy Charter High School	1,158	1,300	1,300	1,300
Mater Academy Charter Middle School	1,157	1,300	1,300	1,300
Mater Academy East Charter School	310	800	800	800
Mater Academy East Middle School	103	250	250	250
Mater Performing Arts & Entertainment Academy	97	100	150	200
Miami Children's Museum	72	350	350	350
Miami Community Charter School	221	600	600	600
Oxford Academy of Miami	101	450	450	450
Pinecrest Preparatory Academy Middle School	216	750	800	800
Pinecrest Preparatory Academy	743	1,250	1,250	1,250
Rosa Parks Charter School/Florida City	192	400	600	600
Renaissance Elementary Charter School	444	500	500	500
Renaissance Middle Charter School	43	50	700	1,600
Sandor Wiener School of Opportunity	19	72	72	72
Sandor Wiener School of Opportunity, South	17	36	36	36
School for Integrated Academics & Technologies	262	600	800	800
Somerset Academy	514	700	700	700
Somerset Academy Charter Middle School	70	300	300	300
Somerset Academy Charter High School	7	250	375	500
Spiral Tech Elementary Charter School	71	290	290	290
Spirit City Academy	40	250	300	400
Sunshine Academy	100	150	200	450
The Charter School at Waterstone	1,001	1,000	1,000	1,000
Theodore R. and Thelma A. Gibson Charter School	11	500	600	600
Transitional Learning Academy	28	48	48	72
Youth Co-Op Charter School	508	525	525	525
TOTAL: 50 schools	16,141	27,514	30,139	32,690

Board Approved Contracts for schools to Open in Future Years			
School Name	Projected Enrollment (as per contract)		
	2006-2006	2006-2007	Maximum
Charter on the Beach Middle School	-0-	250	250
Liceo ENLACE Miami Charter Academy	-0-	475	775
A Child's Journey Charter School	-0-	175	600
Atlantic Science Academy	-0-	600	840
Cooperative Charter School	-0-	100	200
Dr. Joseph Coats Grace Community Charter School	-0-	600	600
Excelsior Academy of Miami	-0-	450	450
Mosaic Bilingual Academy	-0-	120	365
North Miami/Florida Int'l Univ. Charter Sr. High School	-0-	800	1,600
Pinecrest Academy Charter High School	-0-	600	850
South Dade Charter Elementary School	-0-	625	750
Summerville Charter School	-0-	600	600
TOTAL: 12 schools	-0-	5,395	7,880
SUB-TOTAL (EXISTING + APPROVED): 62 schools	27,514	35,534	40,570

Board Approved applications for schools opening in subsequent years		
Applicant	Number of Schools	Maximum Enrollment Capacity
Somerset Academy	6	6,400
Mater Gardens Academy Elementary School	1	900
Mater Springs Academy Elementary School	1	600
Mater Academy South Charter School	1	900
Mater Gardens Academy Middle School	1	450
Mater Springs Academy Middle School	1	300
Sabal Palm Charter High School	1	800
Charter Academy of Excellence	1	600
Palmetto Bay Charter Academy	1	1,600
Princeton Charter Academy	1	1,600
Homestead Charter High School	1	2,000
South Miami-Dade Charter Elementary School	1	600
South Miami-Dade Charter Middle School	1	300
Total :	18 schools	17,050
GRAND TOTALS		
Number of Schools		Maximum Enrollment Capacity
80		57,620

NEW CHARTER SCHOOLS FOR 2005-2006

W/L	Name and Address of Charter School	Contact Information	Grade Levels
6006	Archimedean Middle Conservatory 12425 SW 72 St. Miami, FL 33183	Ms. Vasiliki Moysidis 305 640-6278	6-8
7016	Bridge Academy <i>Main Campus:</i> 8325 NE 2 Ave., Miami, FL 33138 <i>South Campus:</i> 224 Washington Ave., Homestead, FL 33030	Dr. Leo S. Cardona 954 907-2771 786 513-0546 Fax drleoc@myfra.com	12
6007	Charter on the Beach Middle School 2301 Normandy Dr. Miami Beach, FL 33141	Ms. Gladys Palacio 786 258-2505 gladyspalacio@aol.com	7-8
6040	Doctors Charter School of Miami Shores 11301 NW 5 Ave. Miami Shores, FL 33138	Ms. Maggie Manrara 305 795-2207 manraram@miamishoresvillage.com	6-12
7009	Doral Performing Arts & Entertainment Academy 11100 NW 27 St., Doral, FL 33172 and 2601 NW 112 Ave., Doral, FL 33172	Ms. Ofelia Alvarez 305 597-9950	9-12
4080	Early Beginnings – North Shore 985 NW 91 St. Miami, FL 33150 (North Shore Medical Center)	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
4070	Early Beginnings – Civic Center 1411 NW 14 Ave. Miami, Florida 33125	Ms. Carol Byrd, Principal United Cerebral Palsy 305 325-1080	PK-K
6027	Transitional Learning Academy 1411 NW 14 Ave. Miami, Florida 33125	Ms. Pamela Miller, Principal United Cerebral Palsy 305 325-1080	8-12
6008	Lawrence Academy 777 West Palm Drive Florida City, FL 33034	Dr. Keitha Burnett 305 281-3052 mkbur293@aol.com	6-8
1000	Liceo ENLACE! Miami 9705 E. Hibiscus Palmetto Bay, FL 33157	Ms. Lucy Puello-Capone 305 213-7723 ces1234@aol.com	K-8
6009	Mater East Academy Middle School 450 SW 4 St. Miami, FL 33130	Ms. Ana Valdes, Principal 305 324-4667	6-8

W/L	Name and Address of Charter School	Contact Information	Grade Levels
7014	Mater Performing Arts & Entertainment Academy 7901 NW 103 St. Hialeah Gardens, FL 33016	Ms. Christine McGuinn, Principal 305 828-1886	9-12
5010	Oxford Academy of Miami 10870 SW 106 St. Miami, FL 33178	Mr. Tobias Hernandez, Principal 305 598-4494 305 275-2003 Fax	K-5
5030	Sandor Wiener School of Opportunity, South 11025 SW 84 St. Miami, FL 33173	Ms. Lissa Gonzalez, Principal 305 279-3064 Lgonzalez1@dadeschools.net	PK-5
5050	Sunshine Academy 1733 NE 162 St. N. Miami Beach, FL 33162	Ms. Ann-Marie Manzano, Director 786 210-8324 manzanos5@netzero.net	K-8
1010	The Charter School at Waterstone 855 East Waterstone Way Homestead, FL 33034	Dr. Cristina Cruz, Principal drcruzwaterstone@aol.com Temporary office: Prime Outlets Mall 250 East Palm Drive, Suite 245 Florida City, FL 33034 305 248-6208 Fax: 305 248-6208 Email: info@charterschoolatwaterstone.com Web: www.charterschoolatwaterstone.com	K-8
6029	Spirit City Academy 3400 NW 135 St. Opa-locka, FL 33054	Ms. Cecilia Honeywood, Principal 786 493-1546 cahoneywood@dadeschools.net	6-8
7015	Life Skills Center Miami-Dade County 3535 NW 7 Street Miami, FL 33125	Mr. Jose Filpo 305 643-9111 305 643-9141 Fax jose.filpo@lifeskillscenters.com	10-12
6028	Renaissance Middle Charter School <i>Temporary location for 05-06:</i> 8360 NW 33 St. Miami, FL 33122	Ms. Ana Cordal, Principal 305 591-2225 acordal@dadeschools.net	6-8

Memorandum



Date: 18-JUL-05
To: Diane O'Quinn Williams, Director
Department of Planning and Zoning
From: Herminio Lorenzo, Fire Chief
Miami-Dade Fire Rescue
Subject: Z2005000188

Fire Prevention Unit:

No objection to Case # Z2005000188

Service Impact/Demand:

Development for the above Z2005000188
located at APPROX 667' SOUTH OF S.W. 312 STREET, EAST OF THEORETICAL S.W. 190 AVENUE, MIAMI-
DADE COUNTY, FLORIDA.
in Police Grid 2590 is proposed as the following:

<u>8 units</u> single	dwelling units	<u>industrial</u>	square feet
<u>multifamily</u>	dwelling units	<u>institutional</u>	square feet
<u>commercial</u>	square feet	<u>nursing home</u>	square feet

Based on this development information, estimated service impact is: 2.1 alarms-annually.

Existing services:

The Fire station responding to an alarm in the proposed development will be:
Station 16 325 NW 2nd. Street Homestead.

Planned Service Expansions:

The following stations/units are planned in the vicinity of this development:
Station R Florida City Vicinity of NW 170 Street & 92 Ave.

Fire Planning Additional Comments:

No objection.

DATE: 07/13/05

TEAM METRO

ENFORCEMENT HISTORY

THREE M DEVELOPMENT INC.

APPROX 667' SOUTH OF S.W. 312
STREET, EAST OF THEORETICAL
S.W. 190 AVENUE, MIAMI-DADE
COUNTY, FLORIDA.

APPLICANT

ADDRESS

Z2005000188

HEARING NUMBER

CURRENT ENFORCEMENT HISTORY:

7-12-05 No violations.

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Three M,Development, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Manuel A. Sanchez</u>	<u>50%</u>
<u>Maria Dolores Sanchez</u>	<u>50%</u>
<u>11905 SW 47 Street, Miami, FL 33175</u>	<u></u>

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: where the principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.


NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

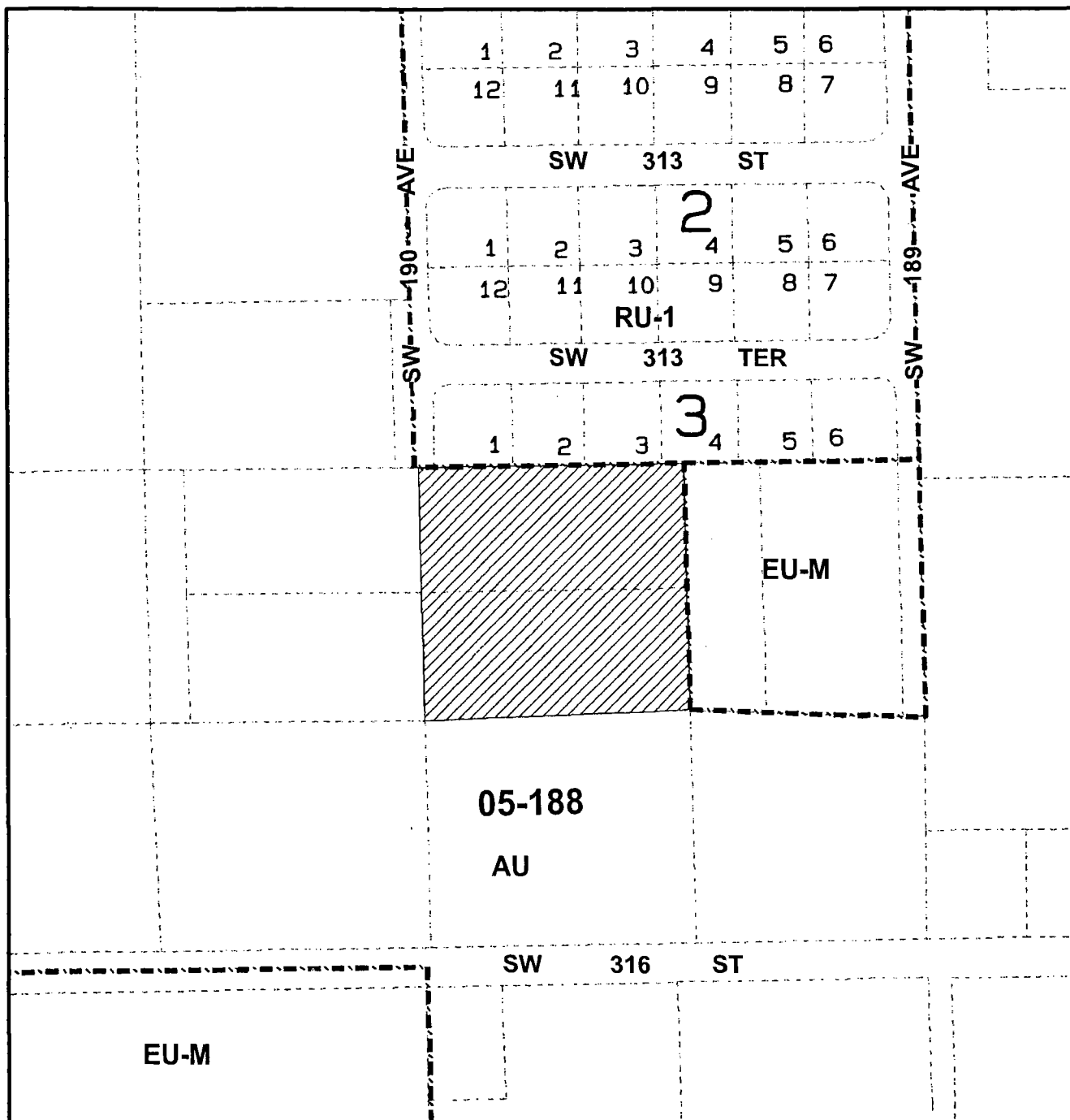
Signature: _____ (Applicant)

Sworn to and subscribed before me this 1st day of July 2005. Affiant is personally known to me or has produced _____ as identification.

Notary Public
My commission expires: _____

 Jasmine Zanetti
My Commission DD311896
Expires April 20, 2008

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.



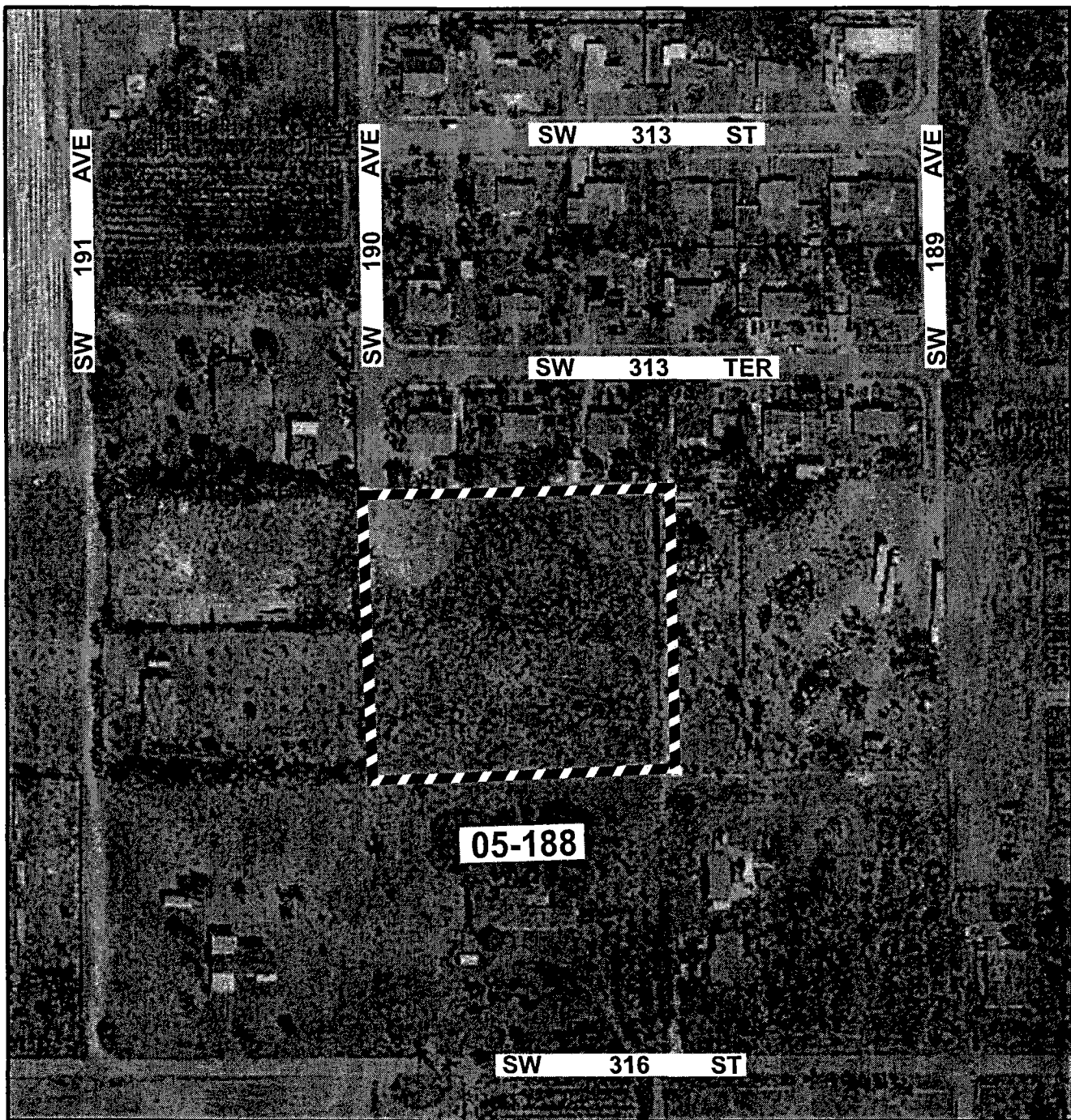
**MIAMI-DADE COUNTY
HEARING MAP**

Section: 14 Township: 57 Range: 38
 Process Number: 05-188
 Applicant: THREE M DEVELOPMENT INC.
 District Number: 08
 Zoning Board: C14
 Drafter: ALFREDO
 Scale: 1:200'

S C A L E
 0 200' N

 SUBJECT PROPERTY





MIAMI-DADE COUNTY
AERIAL

Section: 14 Township: 57 Range: 38
Process Number: 05-188
Applicant: THREE M DEVELOPMENT INC.
District Number: 08
Zoning Board: C14
Drafter: ALFREDO
Scale: NTS

S C A L E
0 NTS N



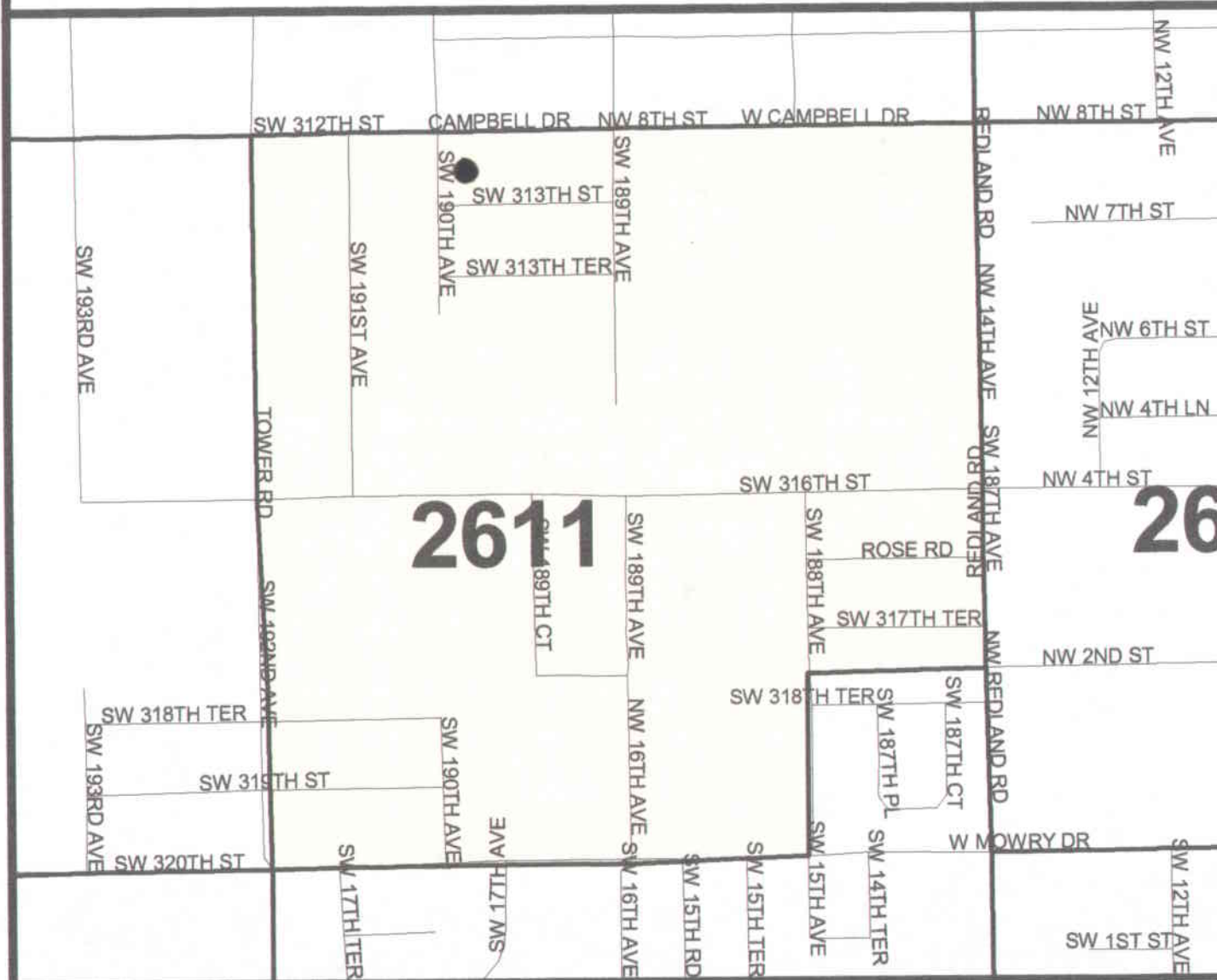
SUBJECT PROPERTY





Miami-Dade Police Department
Target Area - Police Grid(s): 2611
Three M Development Inc.; Hearing # 05-188

C-14



Police Grids Boundaries
Boundary

0 0.05 0.1 Miles



MDPD Crime Analysis System
July 25, 2005
Data in this document represents
successfully geocoded attributes.





Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Miami-Dade Police Department

Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0590", "0594", "0683", "1777", "1785", "1825", "1858", "1919", "2093", "2353", "2611")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

		2003		2004	
Grid	Signal Code	Signal Description			
2611	13	SPECIAL INFORMATION/ASSIGNMENT		5	8
	14	CONDUCT INVESTIGATION		24	22
	15	MEET AN OFFICER		77	60
	17	TRAFFIC ACCIDENT		4	7
	18	HIT AND RUN		0	3
	19	TRAFFIC STOP		0	6
	20	TRAFFIC DETAIL		7	4
	21	LOST OR STOLEN TAG		3	1
	22	AUTO THEFT		2	3
	25	BURGLAR ALARM RINGING		6	10
	26	BURGLARY		8	5
	27	LARCENY		1	2
	28	VANDALISM		4	7
	32	ASSAULT		5	8
	34	DISTURBANCE		21	25
	36	MISSING PERSON		0	1
	37	SUSPICIOUS VEHICLE		4	4
	38	SUSPICIOUS PERSON		3	1
	39	PRISONER		3	6
	41	SICK OR INJURED PERSON		5	4
	43	BAKER ACT		0	1
	45	DEAD ON ARRIVAL		1	0
	49	FIRE		0	1
	52	NARCOTICS INVESTIGATION		2	2
	54	FRAUD		1	2



Miami-Dade Police Department

Miami-Dade Police Department Zoning Hearing Report - Dispatch Information For 2003 and 2004



Detail Filter: (Dis.Complaint Date >= FirstDate and Dis.Complaint Date < LastDate) and (Dis.Grid in ("0590", "0594", "0663", "1777", "1785", "1825", "1858", "1919", "2093", "2353", "2611")) and ((Dis.Signal Code in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55") or ('ALL' in ("13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55"))) and Common

2003 2004

Grid	Signal Code	Signal Description		
Total Signals for Grid 2611 :			186	193



MIAMI-DADE POLICE DEPARTMENT
Zoning Hearing Report Part I and Part II Crimes w/o AOA
For Specific Grids
For 2003 and 2004



Miami-Dade Police Department

Grid(s): 0590, 0594, 0683, 1777, 1785, 1825, 1858, 1919, 2093, 2353, 2611

2003 2004

Grid 2611					
Part I					
130A		AGGRAVATED ASSAULT		2	2
2200		BURGLARY		4	4
2400		MOTOR VEHICLE THEFT		0	2
230C		SHOPLIFTING		1	0
230G		SHOPLIFTING ALL OTHERS		2	2
230F		SHOPLIFTING FROM A MOTOR VEHICLE		2	1
Part I TOTAL				11	11
Part II					
260B		FRAUD CREDIT CARD/ATM		1	0
260D		IMPERSONATION		0	2
350A		NARCOTIC BUY/SELL/POSS/IMPORT/MANUF		1	3
130B		SIMPLE ASSAULT		1	0
Part II TOTAL				3	5
Grid 2611 TOTAL				14	16

Memorandum



Date: September 30, 2005

To: Diane O'Quinn Williams, Director
Department of Planning and Zoning

From: Roosevelt Bradley, Director
Miami-Dade Transit

Subject: FY-06 Blanket Concurrency Approval for Transit

This memo serves as a blanket authorization for the Department of Planning and Zoning to continue to approve concurrency applications for mass transit in all areas of Miami-Dade County.

Miami-Dade Transit (MDT) has been charged with the responsibility of reviewing and approving concurrency applications for mass transit levels of service as stated in County Ordinance 89-66, Administrative Order 4-85, and Section 33-G of the Miami-Dade County Code. Based on the latest socio-economic information provided by your department's Research Division, and a review of the Metrobus/Metrorail service area, we are able to re-authorize your department to review and approve concurrency applications since it appears that all areas of Miami-Dade County meet or exceed the Level-of-Service (LOS) for mass transit established in the above referenced County Rules and Regulations.

MDT continues with the development process for the North Corridor transit project along NW 27th Avenue from 62nd Street to the Broward County Line. Please ask your staff to continue to signal any application whose address is on NW 27th Avenue, between these two points, so that they may be reviewed by MDT Staff.

This authorization is intended to continue the arrangement between our respective departments, and is effective for the period of October 1, 2005 to September 30, 2006, or until canceled by written notice from my office.

If your staff needs further information or assistance with mass transit concurrency matters, they may wish to contact Mario G. Garcia, Chief, System Planning Division, at (305) 375-1193. Your continued cooperation on these important matters is greatly appreciated.

Cc: Albert Hernandez, Deputy Director
MDT Planning and Engineering
Mario G. Garcia, Chief
MDT Systems Planning Division
Helen A. Brown, Concurrency Administrator
Department of Planning and Zoning

✓ *H. Brown*
Memorandum

**MIAMI-DADE
COUNTY**

Date: December 2, 2004

To: Dianne O'Quinn-Williams, Director
Department of Planning and Zoning

From: *dm*
Vivian Donnell Rodriguez, Director
Park and Recreation Department

Subject: Update for Blanket Concurrency Approval

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DEC 14 2004

MIAMI-DADE COUNTY
DIRECTOR'S OFFICE
DEPT. OF PLANNING & ZONING

This memorandum updates the blanket concurrency approval memo of September 18, 2003. There is an adequate level of service within each of the three Park Benefit Districts for all unincorporated areas, as shown on the attached table, and we project that there will be sufficient surplus capacity to maintain an adequate level of service for one additional year. Nevertheless, on a case-by-case basis, this Department will additionally evaluate the capacity of existing parks to support projected residential populations created by new development.

This approval is valid until November 30, 2005. If conditions change prior to that, I will inform Helen Brown, Concurrency Administrator of your department.

Attachment

VDR: WHG:BF:RK

cc: Helen Brown, Metropolitan Planning, DP&Z
W. Howard Gregg, Asst. Director for Planning & Development, PARD
Barbara Falsey, Chief, Planning and Research Division, PARD

Memorandum



Date: April 21, 2005

To: Alberto J. Torres, Assistant Director for Zoning
Department of Planning and Zoning

From: Manuel C. Mena, Chief
MDFR Fire Prevention Division

Subject: Concurrency Approval

Subject to compliance with Article XIV a. "Water Supply for Fire Suppression" of the Miami-Dade County Code, blanket approval for "Initial Development Orders" for any proposed use is hereby granted until further notice.

A subsequent review to assess compliance with Miami-Dade County Fire Flow Standards addressed under the concurrency requirements, as stated in Chapter 163, part 2. Florida Statute, will be necessary during the building permit process.

When zoning use variances are permitted the fire flow standards for the zone permitting the use will be applied

MCM:skr

c: Control File



MEMORANDUM

107.07-17A METRO-DADE/GSA-MAT. MGT.

*Original to Helen Brown
by to Al Jones*

TO: Diane O'Quinn Williams
Director
Department of Planning and Zoning

DATE: September 12, 2003
SUBJECT: Solid Waste Disposal
Concurrency Determination

FROM: Andrew Wilfork
Director
Department of Solid Waste Management

The Department of Solid Waste Management determines compliance with the County's adopted level-of-service (LOS) standard for solid waste disposal based on the ability of the County Solid Waste Management System (System) to accommodate projected waste flows for concurrency. Only those System facilities that are constructed, under construction, subject to a binding executed contract for construction, or subject to a binding executed contract for the provision of services are included in this determination, in accordance with Chapter 33G of the Miami-Dade County Code, Concurrency Management Program.

The attached spreadsheet presents the projected utilization of the System's remaining disposal capacity over a period of 15 years. The projection is based on the demand generated by those parties (municipalities and private haulers) who have committed their waste flows to the System through interlocal agreements and long term contracts as well as anticipated non-committed waste flows, in accordance with the LOS standard. The analysis shows adequate System capacity to meet the LOS until 2015 or seven (7) years beyond the minimum standard. This determination is contingent upon the continued ability of the County and its disposal service contract providers to obtain and renew disposal facility operating permits from the applicable federal, state and local regulatory agencies. Therefore, please be advised that the current LOS is adequate to permit development orders to be issued. This determination shall remain in effect for a period of three (3) fiscal years (ending September 30, 2006), at which time an updated determination will be issued. If, however, a significant event occurs which substantially alters these projections, the Department will issue an updated determination.

Attachment

cc: Pedro G. Hernandez, P.E., Assistant County Manager
Victoria Garland, Acting Deputy Director, DSWM
Vicente Castro, Assistant Director for Technical Services, DSWM
Paul J. Mauriello, Acting Assistant Director for Disposal Operations, DSWM
Charles W. Parkinson, Jr., Acting Assistant Director for Administration, DSWM

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SEP 18 2003

ZONING SERVICES DIVISION, DADE COUNTY
DEPT. OF PLANNING & ZONING

BY

Department of Solid Waste Management (DSWM)
Solid Waste Facility Capacity Analysis
Fiscal Year 2002-2003

Year	Waste Projections (tons)	RESOURCES RECOVERY FACILITY					RTI FACILITY				LANDFILLS			WHEELABRATOR (contract had ended on 12/31/02)	Total
		On-site Gross Tonnage	Unders to South Dade	Shredded Tires to South Dade	Ash to Ashfill	Net Tonnage	RTI Gross Tonnage	RTI Rejects to North Dade and Medley Landfill	Okeelanta Ash to R.R. Ashfill	Tonnage	SOUTH DADE Garbage	NORTH DADE Trash	WMI Garbage & Trash		
					[1]	[2]			[3]	[4]	[5]	[6]	[7]	[8]	[1]-[8]
2003 *	1,837,000	936,000	196,000	17,000	119,000	604,000	270,000	54,000	27,000	189,000	410,000	333,000	146,000	8,000	1,836,000
2004 **	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	178,000	273,500	395,000	100,000	0	1,715,500
2005	1,715,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	178,000	273,500	395,000	100,000	0	1,715,500
2006 ***	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2007	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2008	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2009	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2010	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500
2011	1,705,500	936,000	178,000	14,000	122,000	622,000	270,000	67,000	27,000	176,000	263,500	395,000	100,000	0	1,705,500

RESOURCES RECOVERY	GARBAGE	TRASH	TIRES	TOTAL
* TOTAL @ 1.84M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)
** TOTAL @ 1.72M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)
*** TOTAL @ 1.71M	853,000	69,000	14,000	936,000 (91% Garbage; 9% Trash, includes Tires)
		270,000		270,000 (RTI)
TOTAL WASTE STREAM PERCENTAGES @ 1.84 MILLIONS TONS				
GARBAGE 54.3%	997,000			
TRASH 44.4%	816,000			
SPECIAL (includes Tires) 1.3%	24,000			
TOTAL	1,837,000			

REMAINING CAPACITY BY FACILITY AT END OF FISCAL YEAR

Year	Ashfill Capacity *	South Dade Capacity **	North Dade Capacity ***	WMI **** Disposed
Base Capacity	207,000	4,352,000	3,130,000	146,000
2003	61,000	3,942,000	2,797,000	100,000
2004	0	3,668,500	2,402,000	188,000
2005	0	3,395,000	2,007,000	249,000
2006	0	3,131,500	1,612,000	249,000
2007	0	2,868,000	1,217,000	249,000
2008	0	2,604,500	822,000	249,000
2009	0	2,341,000	427,000	249,000
2010	0	2,077,500	32,000	249,000
2011	0	1,702,000	0	500,000
2012	0	1,294,500	0	500,000
2013	0	887,000	0	500,000
2014	0	479,500	0	500,000
2015	0	72,000	0	500,000
2016	0	0	0	
2017	0	0	0	
2018	0	0	0	
Total Remaining Years	0	12	6	

* Ashfill capacity includes cells 17 and 18; cells 19-20 have not been constructed. When cells 17 and 18 are depleted Resources Recovery Plant Ash and Okeelanta Ash go to South Dade Landfill and Medley Landfill (WMI).

** South Dade includes cells 3 and 4; cell 5 has not been constructed. Assumes all unders consumes capacity whether or not it is used as cover.

*** North Dade capacity represents buildout of the facility. When North Dade Landfill capacity is depleted trash goes WMI and South Dade Landfill.

**** Maximum Contractual Tonnage per year to WMI is 500,000 tons; Minimum Contractual Tonnage per year is 100,000 tons. WMI disposal contract ends September 30, 2015. After WMI disposal contract ends tonnage goes to South Dade Landfill.

All capacity figures are derived from the Capacity of Miami-Dade County Landfills report prepared by the Brown and Caldwell, Dated October 2002.

2004 PARK LOCAL OPEN SPACE BASED ON BENEFIT DISTRICTS - UNINCORPORATED AREA

PBD	2000 Population	Accrued Population	Total Population	Need @ 2.75 Acres Per 1000 (Acres)	Existing Local Open Space			Total Local Open Space	Surplus (Deficit) Acres	Level of Service
					Park Acres	School field Acres	1/2 Private Acres			
1	332,396	29,396	361,792	994.92	1,044.49	491.02	85.32	1,620.83	625.91	1.629
2	520,177	23,003	543,180	1,493.75	1,476.12	461.33	139.79	2,077.24	583.49	1.390
3	141,699	38,253	179,952	494.86	578.93	177.20	6.90	763.03	268.17	1.541
=====										
TOT:	994,272	90,652	1,084,924	2,983.53	3,099.54	1,129.55	232.01	4,461.10	1,477.57	1.520